THE

TWENTY-FOURTH LEGISLATURE

STATE OF HAWAII

REGULAR SESSION OF 2007

JOURNAL OF THE HOUSE

FIRST DAY

Wednesday, January 17, 2007

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 10:00 o'clock a.m.

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

The members of the House, guests, and audience rose for the presentation of our Nation's and our State's Colors by the Farrington High School Junior Reserve Officers Training Corps. The singing of the National Anthem and *Hawaii Pono'i* was led by Ms. Sherry Shaoling, thereafter the recitation of the Pledge of Allegiance was led by Miss Shannon Mau, a student at Hawaii Baptist Academy, assisted by Master Kerry Mizota, a student at Hongwanji Mission School, and Master James Mizota, a student at Iolani School.

The Temporary Chair appointed the Sergeant-at-Arms to escort Most Reverend Clarence "Larry" Silva of the Catholic Diocese to the rostrum.

Most Reverend Silva delivered the invocation.

INTRODUCTION OF RESOLUTION

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

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

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

Representative Takamine then stated:

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

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

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

SPECIAL COMMITTEE REPORT

Representative Waters for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) stating that it has thoroughly considered the matter of the seating of the members-elect of the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, and finds that the members-elect are duly qualified to sit as members of the House of Representatives, as follows:

FIRST DISTRICT:
Dwight Y. Takamine

SECOND DISTRICT:
Jerry L. Chang

THIRD DISTRICT:
Clift Tsuji

FOURTH DISTRICT:
Faye P. Hanohano

FIFTH DISTRICT:
Robert N. Herkes

SIXTH DISTRICT:
Josh Green, M.D.

SEVENTH DISTRICT:
Cindy Evans

EIGHTH DISTRICT:
Joseph M. Souki

NINTH DISTRICT:
Bob Nakasone

TENTH DISTRICT:
Angus L. K. McKelvey

ELEVENTH DISTRICT:
Joe Bertram, III

TWELFTH DISTRICT:
Kyle T. Yamashita

THIRTEENTH DISTRICT:
Mele Carroll

FOURTEENTH DISTRICT:
Hermina M. Morita

FIFTEENTH DISTRICT:
James Kunane Tokioka

SIXTEENTH DISTRICT:
Roland D. Sagum, III

SEVENTEENTH DISTRICT:
Gene Ward, Ph.D.

EIGHTEENTH DISTRICT:
Lyla B. Berg, Ph.D.

NINETEENTH DISTRICT:
Barbara C. Marumoto

TWENTIETH DISTRICT:
Calvin K. Y. Say

TWENTY-FIRST DISTRICT:
Scott Y. Nishimoto

TWENTY-SECOND DISTRICT:
Scott K. Saiki

TWENTY-THIRD DISTRICT:
Tom Brower

TWENTY-FOURTH DISTRICT:
Kirk Caldwell

TWENTY-FIFTH DISTRICT:
Della Au Belatti

TWENTY-SIXTH DISTRICT:
Sylvia Luke

TWENTY-SEVENTH DISTRICT:
Corinne W. L. Ching

TWENTY-EIGHTH DISTRICT:
Karl Rhoads

TWENTY-NINTH DISTRICT:
Joey Manahan

THIRTIETH DISTRICT:
John Mizuno

THIRTY-FIRST DISTRICT:
Glenn Wakai

THIRTY-SECOND DISTRICT:
Lynn Finnegan

THIRTY-THIRD DISTRICT:
Blake K. Oshiro

THIRTY-FOURTH DISTRICT:
K. Mark Takai

THIRTY-FIFTH DISTRICT:
Alex M. Sonson

THIRTY-SIXTH DISTRICT:
Roy M. Takumi

THIRTY-SEVENTH DISTRICT:
Ryan I. Yamane

THIRTY-EIGHTH DISTRICT:
Marilyn B. Lee

THIRTY-NINTH DISTRICT:
Marcus R. Oshiro

FORTIETH DISTRICT:
Sharon E. Har

FORTY-FIRST DISTRICT:
Jon Riki Karamatsu

FORTY-SECOND DISTRICT:
Rida T. R. Cabanilla

FORTY-THIRD DISTRICT:
Kymberly Marcos Pine

FORTY-FOURTH DISTRICT:
Karen Leinani Awana

FORTY-FIFTH DISTRICT:
Maile S. L. Shimabukuro

FORTY-SIXTH DISTRICT:
Michael Y. Magaoay

FORTY-SEVENTH DISTRICT:
Colleen Rose Meyer

FORTY-EIGHTH DISTRICT:
Ken Ito

FORTY-NINTH DISTRICT:
Pono Chong

FIFTIETH DISTRICT:
Cynthia Thielen

FIFTY-FIRST DISTRICT:
Tommy Waters

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

The Temporary Chair directed the Temporary Clerk to call the Roll, which being done disclosed that the following members were present: Representatives Karen Leinani Awana, Della Au Belatti, Lyla B. Berg, Ph.D., Joe Bertram, III, Tom Brower, Rida T.R. Cabanilla, Kirk Caldwell, Mele Carroll, Jerry L. Chang, Corinne W.L. Ching, Pono Chong, Cindy Evans, Lynn Finnegan, Josh Green, M.D., Faye P. Hanohano, Sharon E. Har, Robert N. Herkes, Ken Ito, Jon Riki Karamatsu, Marilyn B. Lee, Sylvia Luke, Michael Y. Magaoay, Joey Manahan, Barbara C. Marumoto, Angus L.K. McKelvey, Colleen Rose Meyer, John Mizuno, Hermina M. Morita, Bob Nakasone, Scott Y. Nishimoto, Blake K. Oshiro, Marcus R. Oshiro, Kymberly Pine, Karl Rhoads, Roland D. Sagum, III, Scott K. Saiki, Calvin K.Y. Say, Maile S.L. Shimabukuro, Alex M. Sonson, Joseph M. Souki, K. Mark Takai, Dwight Y. Takamine, Roy M. Takumi, Cynthia Thielen, James Kunane Tokioka, Clift Tsuji, Glenn Wakai, Gene Ward, Ph.D., Tommy Waters, Ryan I. Yamane, and Kyle T. Yamashita, a total of fifty-one.

At 10:20 o'clock a.m., the Temporary Chair declared a recess, subject to the call of the Chair.

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

"Believe":
Ms. Malama Puahi,
Ms. Rayna K. Chong, and
Ms. Abby Vasconcellos

Halau Na Maka O Pu'uwai Aloha
Miss Kelsey Jones
Miss Kiana Jones
Miss Breanne Maeda
Miss Alyssa Nakamura, and
Miss Haylie Yrojo.

The House of Representatives reconvened at 10:39 o'clock a.m.

The Temporary Chair then appointed the Sergeant-at-Arms to escort the Honorable Ronald T.Y. Moon, Chief Justice of the State of Hawaii, to the rostrum and requested that he administer the oath of office to the Members of the House.

Chief Justice Moon gave the following remarks:

"Good morning and aloha, ladies and gentlemen. First of all, allow me to thank Speaker Say for the privilege and the honor of administering the oath of office to the Members of the House. On behalf of the Judiciary, I would like to commend all of you for your commitment to serving the people of this great State.

"And speaking of commitment, it reminds me of my first year in law school in the State of Iowa, which certainly was a foreign country at that time. And at our orientation program, I recall our Dean giving his orientation speech to the first-year law students, and he spoke about the concept of commitment and he urged us first-year law students to be totally committed to the law and to the profession. And being in the state which is part of the, as you know, the 'Farm Belt' of the United States, he appropriately made his point by discussing a discussion between a pig and a chicken.

"The chicken said, 'I am totally committed to giving eggs in the morning.' And the pig responded, 'That's not total commitment, that's participation. Giving ham is total commitment.' So, I thank you for your total commitment."

OATH OF OFFICE

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

FIRST DISTRICT:
Dwight Y. Takamine

SECOND DISTRICT:
Jerry L. Chang

THIRD DISTRICT:
Clift Tsuji

FOURTH DISTRICT:
Faye P. Hanohano

FIFTH DISTRICT:
Robert N. Herkes

SIXTH DISTRICT:
Josh Green, M.D.

SEVENTH DISTRICT:
Cindy Evans

EIGHTH DISTRICT:
Joseph M. Souki

NINTH DISTRICT:
Bob Nakasone

TENTH DISTRICT:
Angus L. K. McKelvey

ELEVENTH DISTRICT:
Joe Bertram, III

TWELFTH DISTRICT:
Kyle T. Yamashita

THIRTEENTH DISTRICT:
Mele Carroll

FOURTEENTH DISTRICT:
Hermina M. Morita

FIFTEENTH DISTRICT:
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SIXTEENTH DISTRICT:
Roland D. Sagum, III

SEVENTEENTH DISTRICT:
Gene Ward, Ph.D.

EIGHTEENTH DISTRICT:
Lyla B. Berg, Ph.D.

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Corinne W. L. Ching

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Karl Rhoads

TWENTY-NINTH DISTRICT:
Joey Manahan

THIRTIETH DISTRICT:
John Mizuno

THIRTY-FIRST DISTRICT:
Glenn Wakai

THIRTY-SECOND DISTRICT:
Lynn Finnegan

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Rida T. R. Cabanilla

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Kymberly Marcos Pine

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Karen Leinani Awana

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Maile S. L. Shimabukuro

FORTY-SIXTH DISTRICT:
Michael Y. Magaoay

FORTY-SEVENTH DISTRICT:
Colleen Rose Meyer

FORTY-EIGHTH DISTRICT:
Ken Ito

FORTY-NINTH DISTRICT:
Pono Chong

FIFTIETH DISTRICT:
Cynthia Thielen

FIFTY-FIRST DISTRICT:
Tommy Waters

INTRODUCTION OF RESOLUTION

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

H.R. No. 2, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER AND VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE," electing the Honorable Calvin K.Y. Say, Representative from the Twentieth District and Jon Riki Karamatsu, Representative from the Forty-First District, as Speaker and Vice Speaker, respectively, of the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii was jointly offered by Representatives Caldwell and Finnegan.

Representative Caldwell moved that H.R. No. 2 be adopted, seconded by Representative Finnegan.

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

"Mr. Chair, I rise to speak in opposition to this motion. Mr. Chair, I have some written comments that I'd like to insert into the Journal, and I'd also like to summarize my comments.

"Thank you, Mr. Chair. Mr. Chair, first, I want to apologize to all of the family members and other guests who are here today. It's not ordinary to speak in this context on Opening Day because, after all, this is a ceremonial day for all of us. But the fact of the matter is that we do take important votes on Opening Day, one of which is the vote for the Speaker, and this is the only opportunity that the Members of House have to voice their opinions on this matter.

"Mr. Chair, for the last two years, I have been quiet in hope that things in the House would get better, but they did not, and that is why I am voting "no" on this Resolution, with all due respect to my colleagues in the House.

"As you know, I spelled out some of my reasons for voting "no" in an opinion piece that was published in the *Hawaii Tribune Herald* and *Honolulu Star Bulletin*. I received about two dozen responses to that piece. The common reaction was that I should have been more specific, so I'll try to be more specific this morning, again with all due respect to my colleagues and to all of the guests who are here today.

"As a Democratic majority, our responsibility is to enact good legislation to benefit all Hawaii residents, not just a connected few. Eight years ago, the House elected a new Speaker. I was proud to be a part of that movement. I had a lot of hope that the Democrats, with new, young elected Representatives, and through sound leadership, would restore public confidence in government and would make good policy decisions in an honest and informed way. I had a lot of hope that we would recognize changes occurring within our State and work to address them.

"I was a part of that leadership team for six years. We did some good, far-ranging things. By working with the Senate, we passed landmark legislation to enact a bottle recycling bill, reform the school budgeting process, fight the ice epidemic and make prescription drugs affordable. But even while we implemented these programs, I discovered too often that certain individuals were taking us back to the politics of the past.

"The priority for some was to protect narrow interest based on personal relationships with those who would benefit from the legislation. For example, we were asked to approve a $100 million subsidiary for a private raceway park, even if it compromised ethical standards. We were asked to pass legislation to allow the developer to build a subdivision on agricultural land even if it meant circumventing our House Rules and a State court ruling.

"As part of the Majority, we should not have to spend time fighting such bad policies. I believe that we should be asked to do better. We should be asked to restore public confidence in government. We should be asked to carry out our constitutional duty to act as a separate and co-equal branch of State government and to identify policy priorities, develop solutions and enact them even over the Governor's objections and regardless of the Governor's political affiliation. And that is why I believe that we require new leadership.

"New leadership will ask us to enact and enforce ethical standards to prevent self-dealing. New leadership will ask us to approve real renewable energy legislation to protect the environment. New leadership will ask us to approve tax relief for hard working families. New leadership will ask us to raise our standards in terms of how we make decisions, enforce ethical rules and resolve our State's challenges.

"This is what we can do if we are not distracted by bad legislation and narrow interest. I have not given up on this Session. There is great potential for the new Members of the House. If we work with the Senate, we will pass good legislation and we will move our State

forward. I hope that the House is up to the challenge. Thank you very much, Mr. Chair."

Representative Saiki's written remarks are as follows:

"State House Needs Real Reform
Representatives Scott K. Saiki and Sylvia J. Luke

One key indicator of how the Legislature will conduct business is the way it selects its leaders and committee chairpersons. The Senate has gone in the right direction with its focus on openness, moving away from petty politics and the status quo. Unfortunately, the same cannot be said of the House of Representatives.

As was recently reported, key community leaders, such as U.S. Senator Daniel Inouye, recognized that House Democrats are factionalized and attempted to fix it. On the day after the general election, Democratic Party Chair Mike McCartney convened a meeting with Representatives Calvin Say, Kirk Caldwell, Marcus Oshiro and ourselves. Senator Inouye specifically requested veteran Finance Committee Chair, Dwight Takamine to attend.

At the meeting, Senator Inouye expressed his hope that the factions would resolve their differences and work together for the good of the State. He then asked Rep. Takamine to serve as a mediator and to bring the sides together to work out a compromise.

Immediately after Senator Inouye and McCartney left the meeting, Rep. Say told the group that he intended to serve as speaker for the next eight years and would do whatever it took to retain that position. The following week, as he gathered votes, he did not respond to Rep. Takamine's requests to meet.

Rep. Say eventually garnered the 26 votes he needed to continue as speaker. But in doing so, he and the House leadership team denied that Senator Inouye had requested a compromise, and then ousted Rep. Takamine and other House members who had not supported them. In doing so, the House lost an opportunity to provide real leadership and to bring about change in the way the House conducts business.

However, moving forward, we must all recognize that we were elected to serve the general public, and that it is not too late to bring about real reform. By working with the Senate leadership, the House can implement a progressive agenda that will improve the Legislature and residents' quality of life. Here are a few things that we can do.

1. **Increase ethical standards**. The House needs to prevent self-dealing from occurring. Self-dealing results in bad legislation and policy decisions. We must set higher standards and learn to enforce them - even against our colleagues.

2. **Approve immediate tax relief for working people**. Programs such as the Earned Income Tax Credit (EITC) can provide over $20 million in annual tax relief for thousands of working families in Hawaii. The federal government and 20 other states have already adopted the EITC. Hawaii should provide this and other tax relief to our residents.

3. **Pass an aggressive renewable energy agenda**. In recent years, the House has watered down bold proposals to reduce our reliance on oil. We can no longer afford to do this. We must set a comprehensive plan to reduce our dependence on foreign oil and its impact on other facets of our economy. We cannot continue to prolong action if we are to become more self-sufficient.

This is just an example of what is possible. For six years, we served as part of Rep. Say's leadership team, but resigned in 2004 when we realized that Rep. Say was not willing to change.

"It is time to put aside the old way of doing things. We believe that our generation and those that follow deserve a sharp and progressive Legislature that will work for the public interest. We hope the House is up to the task.

Representatives Saiki (D-McCully, Moiliili) and Luke (D-Pauoa, Nuuanu) previously served as Majority Leader and Vice Speaker, respectively, of the House of Representatives"

DANIEL K. INOUYE
UNITED STATES SENATOR
HAWAII

November 28, 2006

Dear Dwight,

I learned recently what happened in the House leadership organization. I fear that my request of you – to facilitate between the two sides – may have cost you your Chairmanship of the House Finance Committee.

Dwight, I am truly sorry. Had I had any inkling of the harmful position I asked you to assume, I would never have done it. My request to you was based on the high regard I hold you and that you are held in to both chambers and in many leadership circles from business, non-profits to labor. It was also based on the need to at least try to get beyond the factions and focus on strengthening the institution in light of our Democratic victories at the polls. Too much energy had been focused on fighting and stymieing each other across the caucus table, all the while giving the Governor upstairs a free ride.

I fear my friend that I may have made things worse – with more, not less blood, on the floor. If there is anything I can do for you, please do not hesitate to contact me. I owe you one.

Aloha!

DANIEL K. INOUYE
United States Senator

The Honorable Dwight Takamine
Representative
Hawaii State House of Representatives
State Capitol
Honolulu, Hawaii 96813

cc: The Honorable Calvin Say
The Honorable Sylvia Luke

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

"Mr. Chair, I also rise in opposition to this Resolution and have a few remarks. First, I also apologize to our guests as this is typically a day of ceremony and celebration. However, I cannot in good conscience let this moment pass without recording my dissent.

"It has been whispered about me that I should learn to act like a freshman. That I should know my place. Mr. Chair, my place is on this floor and I refuse to be intimidated from using my voice and exercising my right to vote.

"Mr. Chair, my hope upon being elected was that the leadership of this House would be based on the principles of compromise, fairness and respect. Surely, these same principles should also operate in the policy-making arena to arrive at the very best laws for the entire

community. Instead, I am disturbed that we operate within a culture where the politics of retribution and punishment are the norm and protecting our elected positions is more important than the public good.

"Despite my deep concerns about the organization of this House, Mr. Chair, I am optimistic that the people's work will get done and that our Members will strive to pass a progressive package that addresses the concerns of families. We need to do this because despite the recent prosperity of our State, the price of paradise is now exacting too much on our working families and the middle class.

"We must pass the earned income tax credit that provides targeted relief to our families who are struggling the most. We must also preserve Hawaii's environment for future generations and not give in to the temptation to squander our natural resources.

"Mr. Chair, I speak out today and vote "no" to this Resolution because I believe there is still hope. There are problems that Hawaii is facing that are bigger than us all, and this is no time to sacrifice progress so that a few can cling to power and maintain the status quo. I believe this House can still do great things if it chooses to put community before self-interest and people before politics. Thank you."

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

"Good morning, Mr. Chair. I rise in support of the motion. Mr. Chair, I would say no apology need be given for these statements made on the floor today for this is the people's House, Mr. Chair, and we represent all the people.

"We encourage debate on the important issues and this is one of those debates, and I am proud to be the Majority Leader and stand before this Body and to be part of this discussion in the openness, in open sunshine, in front of our friends, families, honored guests, and others. I think it says everything about what we're about as Americans, as citizens of Hawaii, and about our rough and tumble business of American democracy. This is the people's House. This is the kind of discussion we have.

"This discussion's been ongoing since the reorganization challenge. We've been open in every Caucus to people airing their views and talking about various leadership styles. We have voted and reorganized the House and I am proud to say that out of 18 Chairs, we have 8 chairs who have four or less years of experience. This is not a top down. This is not 'old boy.' This is not a shutting out of discussion. This is opening the House to full discussion and allowing those who may not have much experience in this legislative body to bring fresh and new ideas and perspectives.

"Many of these Chairs come from our Neighbor Islands, and those Neighbor Islands need to be represented. So I am proud to say that this organization structure that has been put in place by Speaker Calvin Say, and with help from many others in our Caucus is about openness, is about giving people a voice, is about moving forward.

"And I welcome the ongoing discussion that we may have as we go forward this Session on many of the important issues of the day. Whether it be on energy, we do owe the people of this State better energy proposals, and we are going to continue to work hard on that. On ethics, we will continue to look at better ways to bring discipline to this House where need be. On involving the public, we are open for business every day of the week in our offices and in our Committee hearings. This is an open House. This is a House, I think, we can all be proud of being members of, and I don't think we owe an apology to anyone here for the debate that we are having right now. But I do request all Members to please vote "yes" on this Resolution. Thank you very much, Mr. Chair."

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

"Thank you, Mr. Chair. Mr. Chair, I greatly appreciate the words of the Majority Leader, but I must speak in opposition to this Resolution. And I do appreciate the words of the Majority Leader. And I do believe that we can do great things. Together we can make good legislation and solve more problems. And together we can overcome obstacles and some of the challenges that are faced today and beyond, and to work together to do good for the State of Hawaii. And I do appreciate his words that he, too, will remain open and continue great discussion and debate on this Floor and throughout.

"However, Mr. Chair, as I said before, I rise in opposition to this Resolution. Mr. Chair, we are all reformist by nature and that's why we run for office, to bring changes that will benefit the public and make government responsive to its people.

"However, over the years, our residents have lost faith in government to do the right thing. And at the core of that cynicism is a view that the Legislature is filled with entrenched cronies who benefit from self-dealing and from self-interests. Even last year, when I spoke to the *Advertiser's* editorial community board members, the biggest issues that they perceive was the self-dealing that was going on at the Legislature and they asked me to look at various ethic laws, Sunshine laws to help the public understand and, perhaps, lead to transparency in the Legislature. Out of all issues, that was their biggest concern and that was their biggest issue that was brought up at the Community Board.

"Because of this cynicism fewer and fewer residents vote as they become more skeptical about our government. So, instead of making reforms, what do we do? We ignore these concerns, and rather clench tighter and tighter to the status quo. We must stop the self-dealing and make reforms to earn the public's trust and make sound policy. We owe it to our constituents to do better. We owe it to ourselves to do better. We owe it to the future to do better.

"Many of us became legislators with hopes and dreams to do great things, solve real problems. Some of us have tried to make changes from within. However, if we cannot trust the process, how can we trust the product? I have lost my faith and trust in the Speaker nominee. The lack of vision, the lack of leadership, and the need to hold on to power and the old ways of doing things have been more than just disappointing. It simply breaks my heart. Because we need to provide hope, because we need to provide courage, I am voting in opposition to this motion. Thank you."

Representative Caldwell rose, stating:

"Yes. Mr. Chair, I don't know if there's going to be any further comments, but when it comes time for a vote on this motion, on this Resolution, which I'm encouraging everyone to vote "yes" on, I would like it to be a roll call vote. To continue that open sunshine, we can see and show to all the people of our State where we stand on this Resolution. Thank you very much, Mr. Chair. So, roll call vote.

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

"Thank you. I rise in strong support of this Resolution. I want to comment on some of the previous speakers' comments. This process does work. It's incredible. I have been here. This is my third term, my fifth year, and without a doubt, it is a process.

"There are 51 people in this Chamber. It takes a majority to pass legislation. When it came to determining what our leadership team would look like, it was by vote. There was a process. It works. I think the people of Hawaii should be very proud of what comes out of this House, and it is all about process.

"When you start with almost 17, 18 hundred bills in the House and come out with 260 at the end, it's about debate, it's about going around and working on the issues and coming to agreement. So, this does work and I strongly support this Resolution. Thank you."

Representative Waters rose to speak in support of the measure stating:

"Thank you, Mr. Speaker, in support. Under Calvin Say's leadership, Hawaii has realized a thriving economy, a robust construction industry, and a low crime rate. We supported innovative technology. We supported our University with over $50 million in new money last year, and over $100 million for repair and maintenance of our schools. Mr. Speaker, sunny days and bright skies. The future looks bright. And as Believe says, 'Ain't no mountain high enough.' Thank you."

The request for a roll call vote was put to vote by the Chair and upon a show of hands, the roll call was approved.

Roll call having been approved, the motion that H.R. No. 2 be adopted, was put to vote by the Chair and carried on the following show of Ayes and Noes:

Ayes, 48: Representatives Awana, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Evans, Finnegan, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Pine, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Noes, 3: Representatives Belatti, Luke and Saiki.

The Temporary Chair appointed Representatives Caldwell, B. Oshiro, Finnegan and Meyer to escort the newly elected Speaker to the rostrum.

The Temporary Chair then stated:

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

The Speaker then addressed the body, stating:

"Members of the House. Thank you for your vote of confidence and support. I pledge to you that I will execute my duties and responsibilities with fairness consistent with the Hawaii State Constitution and the State statutes.

"I would like to share with the Members of this House, family and friends, people of the State of Hawaii. This is your House. This is your democratic House, and this is how we operate in full and public discussion over these past eight years. I applaud those who voted against me because for me, it is constructive criticism in improving one's behavior and responsibilities for this major institution."

The Chair then appointed Representatives Caldwell and Finnegan to escort the Honorable Jon Riki Karamatsu to the rostrum.

The Chair presented the Vice Speaker, stating:

"Members of the House of Representatives, ladies and gentlemen, I present the Honorable Jon Riki Karamatsu, Vice Speaker of the House of Representatives of the Twenty-Fourth Legislature."

INTRODUCTION OF RESOLUTIONS

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

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

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 3 was adopted.

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

H.R. No. 4, entitled: "HOUSE RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE CAUCUS LEADERS AND NAMING THE CHAIRS, VICE CHAIRS, AND MEMBERS OF THE STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE," acknowledging and recognizing the Caucus Leaders and naming the Chairs, Vice Chairs, and members of the Standing Committees of the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, as listed below, was jointly offered by Representatives Caldwell and Finnegan:

Majority Leader:	Kirk Caldwell
Majority Floor Leader:	Blake K. Oshiro
Majority Whips:	Mele Carroll Jerry L. Chang Pono Chong Robert N. Herkes Ken Ito Marilyn B. Lee Michael Y. Magaoay Bob Nakasone Alex M. Sonson Joseph M. Souki Tommy Waters Ryan I. Yamane Kyle T. Yamashita
Assistant Majority Floor Leaders:	Della Au Belatti Joe Bertram, III Tom Brower Josh Green, M.D. Faye P. Hanohano Sharon E. Har Sylvia Luke Joey Manahan Angus L.K. McKelvey John Mizuno Karl Rhoads Roland D. Sagum, III Scott K. Saiki K. Mark Takai Dwight Y. Takamine James Kunane Tokioka
Minority Leader:	Lynn Finnegan
Minority Floor Leader:	Colleen Rose Meyer
Minority Whips:	Karen Leinani Awana Corinne W.L. Ching

Gene Ward, Ph.D.

Assistant Minority Leader: Kymberly Marcos Pine

Assistant Minority Floor Leader: Cynthia Thielen

FISCAL MANAGEMENT

Finance:

Marcus R. Oshiro, Chair
Marilyn B. Lee, Vice-Chair
Della Au Belatti
Tom Brower
Mele Carroll
Pono Chong
Faye P. Hanohano
Sharon E. Har
Michael Y. Magaoay
Joey Manahan
John Mizuno
Bob Nakasone
Karl Rhoads
Roland D. Sagum, III
James Kunane Tokioka
Karen Leinani Awana
Colleen Rose Meyer
Gene Ward, Ph.D.

LEGISLATIVE MANAGEMENT

Legislative Management:

Michael Y. Magaoay, Chair
James Kunane Tokioka, Vice-Chair
Jon Riki Karamatsu
Blake K. Oshiro
Lynn Finnegan

JUSTICE AND CONSUMER PROTECTION

Consumer Protection and Commerce:

Robert N. Herkes, Chair
Angus L.K. McKelvey, Vice-Chair
Kirk Caldwell
Cindy Evans
Josh Green, M.D.
Ken Ito
Sylvia Luke
Hermina M. Morita
Alex M. Sonson
Joseph M. Souki
Clift Tsuji
Ryan I. Yamane
Kyle T. Yamashita
Barbara C. Marumoto
Cynthia Thielen

Judiciary:

Tommy Waters, Chair
Blake K. Oshiro, Vice-Chair
Kirk Caldwell
Cindy Evans
Josh Green, M.D.
Ken Ito
Sylvia Luke
Angus L.K. McKelvey
Hermina M. Morita
Alex M. Sonson
Joseph M. Souki
Clift Tsuji
Ryan I. Yamane
Kyle T. Yamashita
Barbara C. Marumoto
Kymberly Marcos Pine
Cynthia Thielen

EDUCATION

Education:

Roy Takumi, Chair
Lyla B. Berg, Ph.D., Vice-Chair
Joe Bertram, III
Rida T.R. Cabanilla
Jerry L. Chang
Scott Y. Nishimoto
Scott K. Saiki
Maile S.L. Shimabukuro
K. Mark Takai
Dwight Y. Takamine
Glenn Wakai
Corinne W.L. Ching
Lynn Finnegan

Higher Education:

Jerry L. Chang, Chair
Joe Bertram, III, Vice-Chair
Lyla B. Berg, Ph.D.
Rida T.R. Cabanilla
Scott Y. Nishimoto
Scott K. Saiki
Maile S.L. Shimabukuro
K. Mark Takai
Dwight Y. Takamine
Roy Takumi
Glenn Wakai
Corinne W.L. Ching
Lynn Finnegan

HUMAN SERVICES

Health:

Josh Green, M.D., Chair
John Mizuno, Vice-Chair
Della Au Belatti
Joe Bertram, III
Rida T.R. Cabanilla
Karl Rhoads
Maile S.L. Shimabukuro
K. Mark Takai
James Kunane Tokioka
Karen Leinani Awana
Gene Ward, Ph.D.

Human Services & Housing:

Maile S.L. Shimabukuro, Chair
Karl Rhoads, Vice-Chair
Della Au Belatti
Joe Bertram, III
Rida T.R. Cabanilla
Josh Green, M.D.
John Mizuno
K. Mark Takai
James Kunane Tokioka
Karen Leinani Awana
Gene Ward, Ph.D.

International Affairs:

Rida T.R. Cabanilla, Chair
James Kunane Tokioka, Vice-Chair
Della Au Belatti
Joe Bertram, III
Josh Green, M.D.
John Mizuno
Karl Rhoads
Maile S.L. Shimabukuro
K. Mark Takai
Karen Leinani Awana
Gene Ward, Ph.D.

NATURAL RESOURCES AND HAWAIIAN AFFAIRS

Energy and Environmental Protection:

Hermina M. Morita, Chair
Mele Carroll, Vice-Chair
Pono Chong
Ken Ito
Michael Y. Magaoay
Roland D. Sagum, III
Scott K. Saiki
Cynthia Thielen

Water, Land, Ocean Resources & Hawaiian Affairs:

Ken Ito, Chair
Pono Chong, Vice-Chair
Mele Carroll
Michael Y. Magaoay
Hermina M. Morita
Roland D. Sagum, III
Scott K. Saiki
Cynthia Thielen

GOVERNMENT RESOURCES AND PUBLIC SAFETY

Labor and Public Employment:

Alex M. Sonson, Chair
Bob Nakasone, Vice-Chair
Cindy Evans
Sharon E. Har
Marilyn B. Lee
Sylvia Luke
Angus L.K. McKelvey
Scott Y. Nishimoto
Joseph M. Souki
Dwight Y. Takamine
Roy M. Takumi
Colleen Rose Meyer
Kymberly Marcos Pine

Transportation:

Joseph M. Souki, Chair
Scott Y. Nishimoto, Vice-Chair
Cindy Evans
Sharon E. Har
Marilyn B. Lee
Sylvia Luke
Angus L.K. McKelvey
Bob Nakasone
Alex M. Sonson
Dwight Y. Takamine
Roy M. Takumi
Colleen Rose Meyer
Kymberly Marcos Pine

Public Safety and Military Affairs:

Cindy Evans, Chair
Sharon E. Har, Vice-Chair
Marilyn B. Lee
Sylvia Luke
Angus L.K. McKelvey
Bob Nakasone
Scott Y. Nishimoto
Alex M. Sonson
Joseph M. Souki
Dwight Y. Takamine
Roy M. Takumi
Lynn Finnegan
Kymberly Marcos Pine

ECONOMIC OPPORTUNITIES

Agriculture:

Clift Tsuji, Chair
Tom Brower, Vice-Chair
Lyla B. Berg, Ph.D.
Jerry L. Chang
Faye P. Hanohano
Robert N. Herkes
Joey Manahan
Glenn Wakai
Ryan I. Yamane
Kyle T. Yamashita
Corinne W.L. Ching
Colleen Rose Meyer

Economic Development and Business Concerns:

Kyle T. Yamashita, Chair
Glenn Wakai, Vice-Chair
Lyla B. Berg, Ph.D.
Tom Brower
Jerry L. Chang
Faye P. Hanohano
Robert N. Herkes
Joey Manahan
Clift Tsuji
Ryan I. Yamane
Corinne W.L. Ching
Barbara C. Marumoto

Tourism and Culture:

Ryan I. Yamane, Chair
Joey Manahan, Vice-Chair
Lyla B. Berg, Ph.D.
Tom Brower
Jerry L. Chang
Faye P. Hanohano
Robert N. Herkes
Clift Tsuji
Glenn Wakai
Kyle T. Yamashita
Corinne W.L. Ching
Barbara C. Marumoto

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 4 was adopted.

INTRODUCTION OF RESOLUTIONS

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

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2007," relating to the mandatory recess for the Regular Session of 2007, determined to be the 22nd, 23rd, 26th, 27th, and 28th days of February 2007; and the dates of the recesses, other than the dates of the mandatory recess, for the Regular Session of 2007, determined to be the 23rd and 25th days of January, the 5th, 7th, and 28th days of March, the 9th, 11th, and 30th days of April, and the 2nd day of May of 2007, pursuant to Article III, Section 10 of the Constitution of the State of Hawaii, was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.C.R. No. 1 was adopted.

H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," on the 22nd of January at 10:00 a.m., was jointly offered by Representatives Say, Karamatsu, Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.C.R. No. 2 was adopted.

At 11:12 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

Kelly Boy DeLima
Kalena DeLima
Lilo DeLima

The House of Representatives reconvened at 11:44 o'clock a.m.

At this time the Speaker delivered his address, stating:

"Honored guests, Members, ladies and gentlemen. Aloha and welcome. The 24th Hawaii State Legislature convenes today.

"Our nation remains engaged in a war overseas with no end in sight, and our State faces an important turning point in its future.

"I want to talk with you in these next few minutes with as much candor and clarity as possible because I believe the challenge of our times demand it.

"The days ahead will be difficult, but we will be guided forward in the certain knowledge that the talents, creativity, generosity, and resilience of the people of Hawaii are almost unlimited. But for the Members of this House, their patience, however, is not. They expect us to move Hawaii forward without regard to personal politics or special interests.

"Allow me today to share with you where I see our biggest challenges. These challenges are a call for citizenship and each of us must respond on a national, state and community level.

"For all of us, let us begin with our nation.

"There are those who claim that this legislative body should concern itself only with State matters – that the war in Iraq is something for our leaders in Washington to worry about. I am troubled by that thought. It has been estimated that the final costs of this war will be close to $1 trillion.

"For Hawaii alone, the war will cost more than $1.2 billion. Just think – with these resources we could have provided health care for more than 400,000 of our people. Just think. We could have paid the salaries of more than 23,000 elementary school teachers. We could have built 3,800 affordable units. Or we could have hired almost 3,000 public safety officers. Any way you look at it, Hawaii's losses in this war have been substantial.

"However, I would like to point this out, that through it all, our military has stood strong. Their bravery, their dedication to Hawaii and the nation, and their courage in the face of such overwhelming brutality in Iraq is enormous. Our praise and thanks for their sacrifices should be unending.

"As of this month, all of you should know that 181 young men and women with ties to Hawaii have lost their lives. Last year the Legislature honored their memories and families with the Hawaii Medal of Honor and we will continue to award this special recognition as long as this unfortunate war continues.

"For all of us, it is the very least that we can do.

"After serving 30 years in this body, I feel this is a special opportunity to share with you what I have come to see as hard truths we must face together as a people. And I think this day, when so many of us are gathered together in one place – a day when many members of our communities will take time to visit with us –it is a good time to have this frank discussion.

"I believe Hawaii must face the years ahead confident that our people can stand on their own. We depend too much on the outside world for our survival and that's a dangerous thing to do.

"All our food and consumer goods are imported. Our economy runs on tourism and the military. Our transportation system runs on oil and gas that must cross thousands of open miles of ocean space to get here.

"Our electricity system has few backups, because unlike any other state, we don't have a national power-grid to plug into.

"If real trouble comes, our current economic dependency will come to a complete halt. If you think that's an exaggeration, think about what happened in New Orleans, with all the connections to transportation, power, and oil. Look what happened there.

"Former Governor George Ariyoshi was right when he said, 'We must shape our own future, not have it thrust upon us by forces over which we have little or no control.'

"Today, Hawaii remains the most oil dependent State in the nation with over 90 percent of our primary energy coming from oil. And, despite all of the efforts of the Legislature, the Administration and energy stakeholders, we are likely to remain highly dependent on imported oil for many years to come.

"It has been said that Hawaii has more renewable energy resources than any state in the nation. And we do have abundant wind, solar, geothermal, ocean wave, and ocean thermal resources. However, converting those resources into usable electricity and transportation fuels is yet technically or financially not feasible.

"And that's because of our energy geography. Many of our renewable resources are on the Big Island, but most of our State's population is on Oahu.

"Right now, Oahu's only renewable resources are wind, solar and garbage. All of you realize wind is intermittent and even building a wind farm has been difficult because of community opposition. We can expand the amount of solid waste we use for energy, but the total increase will take only a small bite out of our power demand.

"All of you have heard much in the past year about ethanol. At the national level, the ethanol craze seems to be of great benefit to big corporate corn farmers. The production of ethanol from corn may not be saving the country any imported oil.

"For Hawaii, today we do import ethanol into the State. In the future, we could make it here from sugar – and that process is more than six-and-a-half times as efficient as corn-based ethanol.

"We have very generous incentives for investments in ethanol production. And I'm happy to say that in the next two months, we expect at least two Hawaii-based companies will move forward with serious proposals to build an ethanol plant.

"There are even more promising signs.

"Almost half the energy now consumed in Waikiki is used for air-conditioning. Two Hawaii-based companies are moving forward with proven technology that could be used to dramatically cut the costs of cooling buildings in downtown Honolulu and hotels in Waikiki.

"Right now, these hotels and buildings consume four to 12 times more electricity than this new system would require. Makai Ocean Engineering and the Honolulu Sea Water Air Conditioning would use cold seawater pumped from hundreds of feet below the surface to do the job.

"Another promising development is underway by the University of Hawaii and a spin-off company called HR Bio-Petroleum. They have undertaken a pioneering effort to produce renewable fuels. Their goal is to generate fuels for transportation from marine algae and to use carbon dioxide from power plant stacks as the nutrient for its growth.

"This technology will use algae to produce biodiesel, ethanol and animal protein feed. The products will have a much higher market value than if they were made from land-based plants. Only salt water, shorelands, and carbon dioxide are needed.

"I'm happy to report tests of this technology will begin this spring on the Big Island at the Natural Energy Laboratory. This is transforming technology, one that is the basis for a uniquely Hawaiian industry to export to the world.

"Innovation comes from new ideas like this. Innovation changes the way we act and how we think about ourselves. It helps us to diversify our economy, creating better paying jobs for our citizens. It even helps bring affordable homes within reach.

"All of us must redouble our efforts to diversify Hawaii's economy, or we will never be able to break our State's economic addiction to tourism.

"To achieve this goal we must accomplish two things: First, we must expand the base of existing businesses that pay a living wage. And second, we must better train our workforce for the opportunities of tomorrow.

"We must continue to invest in the intellectual capital we have built in the ocean sciences, natural energy research, astronomy, life sciences, technology and agricultural development. And we must continue to invest in the resources that help build the intellectual capital of our children.

"So what we plan to do is to finish what we started – the repair and maintenance of our public schools. We have already made significant progress in cutting the backlog of school repair projects. Last year, we put the cash up front of $168 million so the next generations would not be saddled with our debt.

"Three years ago we passed the Re-inventing Education Act and while there have been a few bumps along the road to better schools, we need to give this measure a fair chance to succeed. Our commitment to the parents, children and citizens of this State is that we won't stop until we get the job done.

"Last year, we had several significant warnings of how unprepared we have become on the disaster front.

"When the Ka Loko Dam on Kauai burst before dawn on the 14th of January, 1.6 million gallons of water came rushing down on unsuspecting residents. Seven people died, homes and land were ruined.

"Our courts will decide the liability issues, but we have already learned a tragic lesson about the disrepair and neglect of our State's aging agriculture water systems.

"On Tuesday, September 5th, if you recall, a truck hit a freeway overpass on Oahu and turned the city of Honolulu into a massive parking lot. People heading west on H-1 took more than eight hours or more to reach their homes.

"Everyone had a story to tell the next day, but the real story was how unprepared civil and State authorities were to deal with the mess. They couldn't handle a big traffic jam on the H-1; imagine if it had been a Tsunami evacuation.

"And finally, forty days later, on Sunday morning, the biggest earthquake to hit Hawaii in more than thirty years struck off the coast of the Big Island.

"Fortunately, no one was seriously injured, but blackouts hit the islands of Hawaii, Maui and Oahu and damages today are heading in the range of a quarter-of-a-billion dollars.

"More than a thousand homes on the Big Island were damaged – churches, schools and public parks too, and a major hotel remains closed today.

"The farming community was particularly hard hit when our century old irrigation system was heavily damaged.

"On Oahu, 291,000 homes were without electricity for most of the day.

"Communication with the public was seriously compromised. Of the almost 50 radio stations on Oahu, only one had a backup generator.

"An investigation has determined that well over a third of our State's 328 civil defense sirens would not have worked if we had to sound a Tsunami alert. The sirens had no backup power supplies.

"So it is obvious to everyone now this level of response is totally unacceptable. The House will introduce a Disaster Preparedness bill this year to make sure we are better prepared the next time a sudden emergency hits the islands.

"We are also long overdue in fulfilling another commitment. A commitment to ensure that all Hawaii's children have adequate health insurance. At least eight other states are working toward similar programs to meet this health care crisis. We can benefit from their experience in creating a children's health care program while not placing an undue burden on our small businesses in Hawaii.

"I agree with Wisconsin Governor Jim Doyle who said, 'This is a human crisis and it demands action now.'

"We will mark an important milestone this year in preserving important agricultural lands. We will consider incentives to keep these lands green forever.

"The final push for agricultural lands comes as our affordable housing crisis has reached its breaking point. The number of our homeless is at a record high. Anger is growing over traffic, inadequate infrastructure and the inability of our citizens to earn a living wage or find a home they can afford.

"I believe we can better deliver affordable rental housing to Hawaii's people with two, two decisive actions: First, we must maintain funding for affordable rental housing. Second, and even more importantly, we must act to create a fast-track permitting process for affordable rental housing.

"This legislative initiative will provide a three-year window to eliminate most of the permitting logjam. This will remove a significant barrier to building affordable rental housing. And we can do this without compromising our local environment, or Hawaii's health and safety codes.

"If the project is built on ceded lands, 20 percent of the rental homes will be set-aside for Native Hawaiians.

"I stand before you today, convinced that if we can find the legislative will, we have a way to meet our challenges. Challenges in affordable housing, energy, education, disaster preparedness, health insurance for our children, and economic diversification. Truly, this is a tall order, but no one said in life that the House would be easy.

"We have thirteen new Members of the House this year. And that's a pretty good size freshman class. These new Members will soon learn that survival in politics is a tricky business.

"All of you, take a stand and don't worry so much about whether you win or lose. The secret is to take care of the basics and think beyond them. Mayor Hannemann knows fixing potholes is important, but he also has the vision to move a big project forward – like the mass transit.

"Don't be afraid to think big like that. Think beyond the immediate.

"Politics may indeed be local, but true achievement in politics comes from vision.

"In 1979, Speaker James Wakatsuki shared these words of advice with me and the Members of the House:

> What we need is the courage to stick to our plans, the courage to keep the petty irritations of the day from blocking our efforts and the courage to keep on going hour after hour.

"I believe the citizens of this State and the people of our nation don't care anymore about whether you are a Republican or a Democrat. And they won't remember you if all you do is get a road repaved. They will remember you, and rally behind you, if you can speak to the people's hopes and then get the job done.

"To do that you will need allies within this body – people who want to get something done, too. Briefly, I share with all the Members, seek out the humble. Seek out the thoughtful, and above all, seek out the doers. Don't be afraid to take a risk. Your constituents hope you will.

"If you listen and watch carefully, your *na'au* – or your gut – it will help you find the people here with hope and a willingness to try. This is how people work best together – one on one – not by fighting, but by getting to know each other. Imagine what we could achieve by understanding each other just a little better.

"To all of you, to the people of the State of Hawaii, family and friends, thank you very much and good luck in the new Session. Aloha.

The Chair then recognized Representative Finnegan, the Minority Leader, who rose, stating:

"Thank you, Mr. Speaker. Thank you for your address. May I also address the audience as well, Mr. Speaker? Thank you. As we begin the Twenty-Fourth Legislature, we want to be mindful of the issues on two different levels: the overall big picture of creating an environment in which we live while balancing the freedoms and values that we each live by in our daily lives.

"We have a tremendous responsibility. The work we do here at the Capitol shapes the Hawaii we live, work and play in. I'm going to take you back to a personal experience I had recently.

"Two weeks ago I took my children to my niece's 20th birthday party at a beach near Pokai Bay in Waianae. It was about 4 o'clock that Sunday afternoon and we started to clean up, and my sister yelled, 'Lynn, Lynn, look over there.' My 11-year-old daughter, Piikea, was standing on the bridge and was preparing to jump into the ocean and my mom was holding her by her pony tail. Piikea yelled, 'Grandma, let me go.'

"At that moment, I had a flashback of my own anxiety about 25 years ago of doing the same thing. Piikea stood over the water and was shivering from the ocean breeze. I ran over to her and told my mother it was okay to let her go. I asked if she had thought it through and I was pleased to hear she knew how deep the water was, what was beneath the water, and other facts, like waiting for a wave added more depth.

"She just made some friends with some of the local kids and they were all jumping off the bridge. I gave her some tips on how to land in the water. It seemed like she needed to take this risk and I needed to let her do it. Not only did she jump safely, she and her new friend helped my son give it a try. They needed courage and, more importantly, my support. Being able to teach life lessons to my children in the area where I grew up is exactly why I want to live here in Hawaii. I want my children to be able to live the very unique life that I lived when I was young.

"The Hawaii House Republicans want to give every opportunity for our families to remain in Hawaii. This Session is about creating a sustainable and affordable Hawaii and we strive to accomplish this with innovative thinking that focuses on public education, renewable energy, housing, and tax relief. We all agree that equipping our *keiki* for their future is imperative for a sustainable Hawaii.

"First, your House Republicans are dedicated to public education and educational choice. We want to seize this opportunity in order to find areas of commonalities. Our focus is to concentrate on efforts that empower teachers and principals at the school level, untying their hands and supporting the learning that takes place at the schools.

"Most teachers and principals are not afraid to be held accountable. For example, public Charter School principals and teachers are motivated by an accountability system of annual performance. What this means is that if they don't do a good job, the parents would send their children back to their public Charter School the next year. That is why educational choice is so important in today's evolving and global society.

"Yes, your House Republicans will continue to strongly support public Charter Schools as a means of empowering school communities. Here's an example of what I mean. In the beginning of the school year, the lead teacher from my children's public Charter School was faced with a challenge. She had to attend training on behalf of the public Charter School, but it was held on the mainland during the first two weeks of school. She thought the students would not get a good start if she wasn't there. Instead, she asked the principal and the local school board to approve her class starting two weeks ahead of schedule.

"She learned that renovations from her classroom were not going to be completed. This teacher and the local school board, with the

support of the students, principals, parents and the local school board came up with a plan for the students to learn about construction, cost estimates, budgeting, team work and design and planning. And they started classes two weeks early.

"In essence, this was a mini project-base learning opportunity. The school community was able to make an unconventional decision quickly and responded to the needs of the teacher and her students.

"We want more public Charter Schools to be allowed to exist. We want, at least, one more authority other than the Board of Education to authorize Charter Schools, and we want to assure that when parents choose a Charter School, that those schools receive the same financial support and facility support as other public schools.

"Second, the combination of renewable energy sources and innovative technology will give Hawaii the opportunity to be energy independent. We want to support that goal. Extending the ethanol blended gasoline general excise tax exemption and continuing to support a renewable energy portfolio will help to achieve the goal of energy independence.

"Third, lack of shelter, whether it is homelessness or the need for transitional and affordable housing, remains a challenge that we must overcome. The good news is that there are people in our communities that give their time and creativity to figure out solutions. Through public/private partnerships, we are seeing changes that not only heal, but provide a path to self-sufficiency. We want to invest in more opportunities that provide a better tomorrow today.

"For instance, the experience of O'ne Lau Ena in Kalaeloa, incorporates shelter with programs focused on promoting self-sufficiency in a caring atmosphere.

"Finally, we believe that lowering taxes provides people with the opportunity for empowerment. By keeping more of your earnings, we can prevent families from being swallowed up by our high cost of living and cost of paradise. Let's not forget that we still have people trying to deal with last year's property tax increase, higher rents, and now, the increase in the general excise tax, and the reinstatement of the tax on ethanol blended gasoline.

"Of course, we have a preferred method of tax relief, whether it be the constitutionally mandated tax rebate, preferably a large one, Mr. Speaker, eliminating the tax on food and medicine or increasing the standard deduction. But let's face it, tax relief is tax relief, and we want it to be real and we want it to be now.

"Last Friday I attended our Governor's press conference on innovation. I was excited to learn of what Hawaii's future could look like moving forward. It is a comprehensive package of ideas, including public-private partnerships for innovative education, workforce development, follow through on the promise of economic diversity and an overall goal of a sustainable Hawaii. I am very optimistic about this well-thought out deliverable plan that brings in conscientious and resourceful Republic and Democrat ideas.

"Hawaii Republicans have been successful working on many issues of importance, like renewable energy, three strikes, electronic surveillance, tax relief, gas cap suspension, identity theft protection and Megan's Law. We want to redefine what we consider bi-partisanship. Like in a marriage, conflict can be productive and rewarding. The result of tension can be unity in diversity. We are not only the Party of opposition. So, what's in it for Hawaii?

"These packages of ideas will strategically place Hawaii in the line up to catch the waves of the future while preserving the unique lifestyle and blended cultural past. We can teach our *keiki* life's lessons in our own unique way, like we'd being more successful negotiating prices with the *manapua* man at the end of the day, instead of the beginning. Or you can be resourceful by using the old brown McDonald's tray to carry your food and also use them for body boarding. Or you can learn cultural sensitivity by knowing that *bumbai* means later on and is not a town in India. Or the value of family and friends and that everyone is either aunty or uncle.

"With the story of my daughter, Piikea, and me allowing her to jump off the bridge, I gave her the opportunity to courageously conquer fear and strengthen her character. Let us take calculated risks and invest in our future to achieve the preservation of our unique lifestyle and a sustainable and affordable Hawaii.

"Mr. Speaker, it's about empowerment, opportunity and choices that bring about results. Mr. Speaker, we would like to extend a warm *mahalo* to the people of Hawaii for giving us this opportunity and for having confidence in all of us to shape public policy and empower lives. We look forward to working with you and the Majority Caucus, the Senate, the Governor for the benefit of Hawaii's future. *Aloha* and *mahalo* from your House Republicans.

The Chair then recognized Representative Caldwell, the Majority Leader, who rose and responded:

"Thank you, Minority Leader Finnegan for your very thoughtful comments on Piikea and her future in Hawaii and all our *keiki's* future in our State. And as Majority Leader we look forward to working with you and your side of the aisle and getting the good deeds done for the people of our State.

"Good morning, Mr. Speaker, Members of the House, honored guests, friends, family, and, most importantly, the people of this great State, the people of Hawaii. It's my privilege to address you as a Majority Leader.

"Mr. Speaker, with your permission, I'd like a moment of thoughtful reflection to think about the fact that today is the anniversary of the overthrow of our monarchy. No matter whether we can trace our lineage back to pre-Cook days, or just a couple of generations, or if we just recently arrived on our shores. The *Alii* casts a long shadow on all of us and impact our lives in a positive way every single day, and we need to think and reflect on that, and decide in our own ways how we are going to honor that great legacy that makes Hawaii what Hawaii is to all of that. So, if you will just have a quiet moment of reflection. Thank you."

At this time, the House of Representatives stood for a moment of reflection.

"Mr. Speaker, you just encouraged us to be bold, to take risks, to listen carefully to the needs and hopes of our constituents. The House Majority, 43 Members strong, is ready for that challenge, Mr. Speaker. We will approach solving the people's problems as one body, but from many different angles, that reflect each of our own unique histories. Today, Mr. Speaker, your Caucus includes 11 new freshmen Democrats, and I would like to introduce them to the audience. From my right to left, by row, first row, Representative Bertram from Kihei. Representative. Bertram, will you please stand. Thank you.

"Mr. Speaker, I would like each of the Representatives to please stand so kindly hold your applause until we have introduced everyone. So, Representative Bertram will you please stand again and remain standing. Thank you. Second row, right behind me, you've already been introduced to her, Representative Bellati from Makiki. After that, Representative Mizuno from Kalihi. Representative Sagum from Waimea, Kauai. Representative McKelvey from Lahaina. Representative Manahan from Kalihi Kai. Representative Tokioka from Lihue. Representative Hanohano from the great district of Puna. Representative Rhoads from Downtown Honolulu. Representative Brower from Waikiki. And in the third

row, last, but not least, Representative Har from Makakilo. Representative Har, please stand up.

"And I would also like to introduce the good freshman Republicans who we are greatly honored to have joining this body. We have Representative Gene Ward from Hawaii Kai. And all the way from Nanakuli, we have Representative Karen Awana. Please remaining standing. As you can see Mr. Speaker and members of the audience, we are as diverse as this State. We reflect all of you up there in the gallery. Thank you.

"Being good Democrats, Mr. Speaker, of course, we will often disagree on the best approach to solving many of the problems that face us today. And we saw a little bit of that this morning and it was a demonstration in our form of democracy. Yet, as Democrats, and as Americans, we embrace the differences of opinion and welcome debate on the strength of our beliefs and ideas. We welcome that, Mr. Speaker. This is the type of debate that our Founders intended when they designed our form of government. Our unique experiment in democracy initiated over 230 years ago.

"We should never fear to debate actively, whether it be within our Caucus, or whether it be with our colleagues across the aisle. Reasoned and driven debate helps make better laws, Mr. Speaker, and we want that reasoned and driven debate.

"Over the last several weeks we have diligently been debating our priorities for this legislative Session. The common message from every district across the State, from Hawi in Kohala on the Big Island, to beautiful Hanalei on Kauai represented by Representative Morita, people are saying that they have to struggle too much to keep up with the cost of living in our State. It is no surprise, Mr. Speaker, that Hawaii is one of the most expensive places to live in the country, and there are many reasons for that. But because we are an island State, the impact is even more devastating.

"Families are split up as members are forced to move away to the mainland. And for some, who can't afford the move, the cost of living drives them to homelessness. Too many, too many of our citizens are losing grasp of the American dream. The shrinking middle class is forced to run faster and faster just to stay in place, or face the prospect of getting poor. They can't keep up with the rising cost of gas and electricity. They can't find affordable housing. They can't afford healthcare. This forces people to choose between financial obligations and family. They should not have to make that choice, Mr. Speaker.

"President Kennedy said in his inaugural address way back in 1961, 'If a free society cannot help the many who are poor, they cannot save the few who are rich.' Mr. Speaker, President Kennedy was saying that our fates are all tied together, everyone in this room, rich and poor. Hawaii's working families are the backbone of our economy, and we must keep the strong if our democracy is to remain healthy. This is absolutely necessary. And it is in everyone's interest.

"In 2007, the House Majority will be focusing our efforts in helping the many to afford the cost of living in Hawaii, and in so doing, will improve the quality of life here for everyone. In the next several days, we'll unveil the details of bills to be included in our Majority Package. But for today, let us be reminded that we are the people's House – your House. That it is the people who have elected us to work on their behalf. This Session, the Majority Caucus, will address the following:

"One, Affordable Housing. We will seek to work with the Administration, with the counties to get people off the streets and the beaches. To help families to find affordable places to rent. And to give our young people the hope of one day owning a home here in Hawaii, something that is becoming an impossible dream for so many of our young people.

"Two, Health Care. We need to ensure that every woman, man, and especially child in our State will be covered by comprehensive health insurance, a lofty goal. Our first step in that direction will be to push our Keiki Care bill that was spear headed by a Dr. Josh Green, the Representative from Kailua-Kona, the new Chair of Health. Where is Dr. Green? Dr. Green, by the way, just very, very recently became a father for the first time to a baby girl named Maia. So, he now will begin to understand how important it is, how important it is to provide health care for our *keiki*.

"Three, Energy. If we are to make energy more affordable for consumers, we need to bring Hawaii's numerous alternative energy resources on-line much more quickly, much more quickly than we have. To do this, we must change the way we integrate our abundant alternative energy resources into our energy pool.

"Four, Education. We remain committed to the Reinvesting in Education Act, Mr. Speaker, also known as Act 51, which gives local schools the flexibility to manage their own priorities and provides funding based on actual needs of students. We just heard the Minority Leader talk about empowering schools at the local level. This is what this Act does. We believe the Department of Education needs the support and the time to implement the major restructuring successfully, and we stand firmly behind Pat Hamamoto. And, also, we will continue to upgrade our school facilities so that our *keiki* have a safe and healthy learning environment.

"Five, and last, Disaster Preparedness. On October 15th, a major earthquake, which our Governor experienced firsthand, right near the epicenter, showed us there is more we can do as a State to protect our citizens from the unstoppable forces of nature and the challenges of human fanaticism. The cost of disasters are both financial and emotional, too, Mr. Speaker.

"These problems won't be solved during this Session alone, and to promise otherwise would not be honest to all of you, the people. We will lay the groundwork now and then come back in successive Sessions to move these solutions forward to completion.

"Mr. Speaker, the bottom line is that we do not want to see more of Hawaii's residents falling through the cracks. We just cannot accept this. We need to help our residents, not with a hand out, but with a hand up. Helping people to help themselves is truly the highest calling. Sir Winston Churchill once said, 'We make a living by what we get. We make a life by what we give.'

"When we adjourn, let us look back and say we gave the people of Hawaii a chance to make a better life. Thank you, Mr. Speaker, and in conclusion, your Majority Caucus stands ready as one body to give its all to the people of Hawaii. Thank you, very much."

The Chair then stated:

"Once again, thank you very much Minority Leader Finnegan, and Majority Leader Caldwell for your very eloquent speech on the agenda of both Parties."

INTRODUCTION OF RESOLUTION

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

H.R. No. 5, entitled: "HOUSE RESOLUTION SENDING MESSAGES THAT THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE HAS ASSEMBLED AND IS READY TO TRANSACT BUSINESS," informing the Senate and the Governor that the House of Representatives has assembled and is ready to conduct business with the following officers: Calvin K.Y. Say, Speaker; Jon Riki Karamatsu, Vice Speaker; Patricia Mau-Shimizu, Chief Clerk; Kevin R. Kuroda,

Sergeant-at-Arms; C.J. Leong, Assistant Clerk; and Leonard Paresa, Jr., Assistant Sergeant-at-Arms, was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 5 was adopted.

At this time, the Chair appointed the Sergeant-at-Arms to escort Reverend Ryuko Wong, Head Priest of Anko-in at Chozen-ji, to the rostrum.

Reverend Wong then offered the benediction.

The Chair then stated:

"Thank you very much Reverend Wong. A few of you may recall, there is always life after politics. Reverend Wong was the Representative from the Waimanalo area."

ANNOUNCEMENT

Representative Karamatsu: "Mr. Speaker, the House would like to recognize our Chief Clerk and wish her a happy birthday today."

ADJOURNMENT

At 12:36 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 18, 2007.

SECOND DAY

Thursday, January 18, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:02 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Jon Riki Karamatsu, after which the Roll was called showing all members present with the exception of Representatives Souki and Takai, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1 through 203) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1, dated September 6, 2006, transmitting the Department of Labor and Industrial Relations (DLIR) annual report for fiscal year ending June 30, 2005.

Gov. Msg. No. 2, dated September 14, 2006, transmitting the Department of Transportation's third Monthly Progress Report on the Lahaina Bypass Project and the Motor Vehicle Use Reduction Plan.

Gov. Msg. No. 3, dated September 20, 2006, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for August 2006.

Gov. Msg. No. 4, dated October 20, 2006, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for September 2006.

Gov. Msg. No. 5, dated October 20, 2006, transmitting the Department of Human Services' Report as required by Act 178, Part III, Section 37, Session Laws of Hawaii 2005.

Gov. Msg. No. 6, dated October 20, 2006, transmitting the Department of Human Services' Report as required by Act 178, Part III, Section 40, SLH 2005.

Gov. Msg. No. 7, dated November 16, 2006, transmitting the Department of Transportation's Monthly Progress Report on the Lahaina Bypass Project and the Motor Vehicle Use Reduction Plan for the months of September and October 2006.

Gov. Msg. No. 8, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Status Of The Kaho'olawe Rehabilitation Trust Fund.

Gov. Msg. No. 9, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Administratively Established Accounts And Funds Of The Department Of Land And Natural Resources.

Gov. Msg. No. 10, dated November 20, 2006, transmitting the Department of Land and Natural Resources' annual report on Geothermal Royalties Dispositions and Geothermal and Cable System Development.

Gov. Msg. No. 11, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report Relating To The Natural Area Reserves System, Natural Area Partnership Program And The Financial Condition Of The Natural Area Reserve Fund.

Gov. Msg. No. 12, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report Relating To The Forest Stewardship Program.

Gov. Msg. No. 13, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report Relating To Public Land Liability.

Gov. Msg. No. 14, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Status of the Issuance of Incidental Take Licenses for Endangered, Threatened, Proposed, and Candidate Species; and the Condition of the Endangered Species Trust Fund for the Period July 1, 2005 – June 30, 2006.

Gov. Msg. No. 15, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on Revenues Generated from General Administrative Penalties Imposed Under Chapter 183, Hawaii Revised Statutes.

Gov. Msg. No. 16, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on Identification of Rivers and Streams Worthy of Protection.

Gov. Msg. No. 17, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Status Of The Statewide Field Investigations Of Streams To Establish Instream Flow Standards.

Gov. Msg. No. 18, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report Relating To The Wildlife Revolving Fund Fiscal Year 2005-2006.

Gov. Msg. No. 19, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on Fire Suppression For Fiscal Year 2007.

Gov. Msg. No. 20, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resource Enforcement's monthly enforcement activities for October 2006.

Gov. Msg. No. 21, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report On The Status Of The Programs For Environmentally-Themed Products To Support The Environment.

Gov. Msg. No. 22, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Activities Of The Hawaii Statewide Trails And Access Program.

Gov. Msg. No. 23, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Status Of The Baseline Environmental Study For The Waianae Coast Ocean Area.

Gov. Msg. No. 24, dated November 20, 2006, transmitting the Department of Human Services' Report as required by Act 178, Part III, Section 38, Session Laws of Hawaii 2005.

Gov. Msg. No. 25, dated November 20, 2006, transmitting the Department of Human Services' Report as required by Act 160, Section 4. (43), Section 39.1, Session Laws of Hawaii 2006.

Gov. Msg. No. 26, dated November 20, 2006, transmitting the Department of Human Services' Report as required by Act 160, Section 4. (45), Section 41.1, Session Laws of Hawaii 2006.

Gov. Msg. No. 27, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on The Implementation of Act 134, Session Laws of Hawaii 2000.

Gov. Msg. No. 28, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report Requesting The Department Of Land And Natural Resources To Recommend Solutions To Abate And Prevent The Accumulation Of Sediment At Wailoa Small Boat Harbor And Along Hilo Bayfront.

Gov. Msg. No. 29, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Implementation of Chapter 190D, Hawaii Revised Statutes, Ocean and Submerged Lands Leasing in response to Act 176, Section 12, Session Laws of Hawaii 1999.

Gov. Msg. No. 30, dated November 20, 2006, transmitting the Department of Land and Natural Resources' report on the Hawaii Historic Preservation Special Fund For Fiscal Year 2005-2006.

Gov. Msg. No. 31, dated November 20, 2006, transmitting the Department of Human Services' Report as required by Section 346-29.5, Hawaii Revised Statutes.

Gov. Msg. No. 32, dated November 20, 2006, transmitting the Department of Human Services' Report as required by Act 208, SLH 2004.

Gov. Msg. No. 33, dated November 15, 2006, transmitting the Department of Transportation's Report on Honopou Road and Bridge.

Gov. Msg. No. 34, dated November 24, 2006, transmitting the Department of the Attorney General's Annual Report of Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act Fiscal Year 2005-2006.

Gov. Msg. No. 35, dated November 24, 2006, transmitting the Department of the Attorney General's Annual Report of the Tobacco Enforcement Unit for Fiscal Year 2005-2006.

Gov. Msg. No. 36, dated November 28, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on General Fund Information for Boiler and Elevator Safety for fiscal year ending June 30, 2006.

Gov. Msg. No. 37, dated November 28, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Hoisting Machine Operator's Advisory Board's report for fiscal year ending June 30, 2006.

Gov. Msg. No. 38, dated November 28, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Occupational Safety and Health Report of Contested Cases for fiscal year ending June 30, 2006.

Gov. Msg. No. 39, dated November 28, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Non-General Fund Information for the Unemployment Insurance Trust Fund for fiscal year ending June 30, 2006.

Gov. Msg. No. 40, dated November 28, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Non-General Fund Information for the Special Fund for Disability Benefits for fiscal year ending June 30, 2006.

Gov. Msg. No. 41, dated November 28, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Non-General Fund Information for the Employment and Training Fund for fiscal year ending June 30, 2006.

Gov. Msg. No. 42, dated November 29, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Employment and Training Fund report for fiscal year ending June 30, 2006.

Gov. Msg. No. 43, dated November 27, 2006, transmitting the Department of Land and Natural Resources' report on the Activities Of The Kaneohe Bay Regional Council For The Year 2006.

Gov. Msg. No. 44, dated December 8, 2006, transmitting the Report on How the Department of Commerce and Consumer Affairs' Expenditures will be Aligned with its Special Fund Revenue Collections.

Gov. Msg. No. 45, dated December 8, 2006, transmitting the Department of Human Resources Development's reports on all expenditures, including the number of claims for workers' compensation claim payments; statistics on the duration of payments made to claimants; statistics on the average compensation paid per claimant; and a breakdown of claims paid by department for fiscal year ending June 30, 2006.

Gov. Msg. No. 46, dated December 11, 2006, transmitting the Department of the Attorney General's Report on Receipts and Expenditures of the Antitrust Trust Fund; for Fiscal Year 2005-2006.

Gov. Msg. No. 47, dated December 11, 2006, transmitting the Department of the Attorney General's Report on any Shortage or Condition Affecting the Supply of Petroleum Products.

Gov. Msg. No. 48, dated December 11, 2006, transmitting the Department of the Attorney General's Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies for Fiscal Year 2005-2006.

Gov. Msg. No. 49, dated December 8, 2006, transmitting the Department of Budget and Finance's report on fringe benefit related expenditures for Charter School employees.

Gov. Msg. No. 50, dated December 8, 2006, transmitting the Department of Budget and Finance's report on the accounts or funds that were administratively established.

Gov. Msg. No. 51, dated December 8, 2006, transmitting the Report on Administratively Established Appropriations as required by Act 178, Session Laws of Hawaii 2002.

Gov. Msg. No. 52, dated December 11, 2006, transmitting the report pursuant to Act 178, Section 23, Session Laws of Hawaii 2005, as Amended by Act 160, Section 23.1, Session Laws of Hawaii 2006, Regarding a Report on the Cost Effectiveness and Efficacy of the Healthy Start Program for FY 2006-2007.

Gov. Msg. No. 53, dated December 11, 2006, transmitting the Report Pursuant to Act 178, Section 20, Session Laws of Hawaii, 2005, requiring the Department of Health to report the revenues and expenditures of the Environmental Response Revolving Fund as of December 1, 2006.

Gov. Msg. No. 54, dated December 11, 2006, transmitting the Department of Human Services' Report as required by Act 178, Section 162, SLH 2005 for the 1st quarter of FY 07.

Gov. Msg. No. 55, dated December 11, 2006, transmitting the Department of Human Services' Report as required by Act 160, Section 4. (44), Section 39.2, Session Laws of Hawaii 2006.

Gov. Msg. No. 56, dated December 11, 2006, transmitting the Department of Human Services' Report as required by Act 178, Section 159, SLH 2005 for the 1st quarter of FY 07.

Gov. Msg. No. 57, dated December 5, 2006, transmitting the Department of Business, Economic Development, and Tourism's Report on 2007 Goals and Objectives.

Gov. Msg. No. 58, dated December 11, 2006, transmitting the Department of Human Services' Report as required by Section 346-347, Hawaii Revised Statutes.

Gov. Msg. No. 59, dated December 5, 2006, transmitting the Department of Transportation's Report on the Lahaina Bypass Project and the Motor Vehicle Use Reduction Plan.

Gov. Msg. No. 60, dated December 5, 2006, transmitting the Department of Transportation's Report on the existing traffic conditions in the South Kona Area of Hawaii.

Gov. Msg. No. 61, dated December 15, 2006, informing that the Department of Human Resources Development reports that there was no selection of Separation Incentives by an employee as there was no Reduction-in-Force (RIF) in the Executive Branch for the 2006 calendar year.

Gov. Msg. No. 62, dated December 11, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Hawaii Civil Rights Commission Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 63, dated December 11, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Non-General Fund Information for the Premium Supplementation Fund for fiscal year ending June 30, 2006.

Gov. Msg. No. 64, dated December 11, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Hawaii Labor Relations Board's Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 65, dated December 11, 2006, transmitting the report pursuant to Act 178, Section 25, Session Laws of Hawaii 2005, Requiring the Department of Health to Prepare a Yearly Detailed Progress Report on the Status of the Healthy Hawaii Initiative and to Identify the Impact on Any Aspect of the Healthy Hawaii Initiative Success Due to the Reallocation of Funds from the Tobacco Settlement Fund to the Healthy Start Purchase of Service Contracts.

Gov. Msg. No. 66, dated December 11, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Non-General Fund Information for the Special Compensation Fund for fiscal year ending June 30, 2006.

Gov. Msg. No. 67, dated December 11, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on Non-General Fund Information for the Special Unemployment Insurance Administration Fund for fiscal year ending June 30, 2006.

Gov. Msg. No. 68, dated December 13, 2006, transmitting the Hawaii Department of Agriculture's Expenditure Report on the Emergency Budget Reserve Fund.

Gov. Msg. No. 69, dated December 13, 2006, transmitting the Department of the Attorney General's Report of the Investigations Division Cold Case Squad for Fiscal Year 2005-2006.

Gov. Msg. No. 70, dated December 13, 2006, transmitting the Department of the Attorney General's Report Concerning Special, Trust, and Revolving Funds.

Gov. Msg. No. 71, dated December 14, 2006, transmitting the Report Pursuant to Senate Concurrent Resolution 70, HD 1, Requesting the Director of Health to Convene a Task Force to Determine a Means for a Child to be Screened Prior to the Start of the Child's Education, at the Child's First Entry into Preschool and Elementary School, to Provide for Diagnosis, Referral, Correction or Treatment, and to Integrate the Efforts of Community and State Organizations Related to Screening Under this Hawaii Childhood Screening Initiative.

Gov. Msg. No. 72, dated December 14, 2006, transmitting the Department of Land and Natural Resources' report on The Hawaii Invasive Species Program.

Gov. Msg. No. 73, dated December 14, 2006, transmitting the Department of the Attorney General's 2006, Annual Report on Recommendations for Denial of Claims for Legislative Relief.

Gov. Msg. No. 74, dated December 14, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Report for the Boiler and Elevator Inspection Branch for fiscal year ending June 30, 2006.

Gov. Msg. No. 75, dated December 14, 2006, transmitting the Department of Human Services' Report as required by Act 178, Section 39, SLH 2005 for FY 06.

Gov. Msg. No. 76, dated December 15, 2006, transmitting the Hawaii Real Estate Commission's Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 77, dated December 15, 2006, transmitting the Condominium Dispute Resolution Pilot Program Report.

Gov. Msg. No. 78, dated December 15, 2006, transmitting the Medical Claims Conciliation Panel Annual Report.

Gov. Msg. No. 79, dated December 15, 2006, transmitting the Hawaii Board of Dental Examiner's Report.

Gov. Msg. No. 80, dated December 15, 2006, transmitting the Report on Parental Preferences in Government Contracts, Programs, and Services.

Gov. Msg. No. 81, dated December 14, 2006, transmitting the 2005 Annual Report – Special Purpose Revenue Bonds Authorized Under Act 262, Session Laws of Hawaii 1998.

Gov. Msg. No. 82, dated December 14, 2006, transmitting the Public Utilities Commission's Special Fund Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 83, dated December 14, 2006, transmitting the Report Pursuant to Section 321-291, Hawaii Revised Statutes Requiring the Department of Health to Give an Annual Financial Report for the Newborn Metabolic Screening Special Fund.

Gov. Msg. No. 84, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report Coordinated Environmental Education Efforts Of The Department Of Land And Natural Resources.

Gov. Msg. No. 85, dated December 15, 2006, transmitting the Report of the Insurance Commissioner 2006.

Gov. Msg. No. 86, dated December 15, 2006, transmitting the External Review Report.

Gov. Msg. No. 87, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report on the Land Conservation Fund And Legacy Land Conservation Program.

Gov. Msg. No. 88, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report Requesting the Department Of Land And Natural Resources To Conduct An Analysis Of Incentives To Promote Landowner Protection Of Important Mauka Lands.

Gov. Msg. No. 89, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report Relating to Invasive Species.

Gov. Msg. No. 90, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report Relating To The Coqui Frog.

Gov. Msg. No. 91, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report on the Plan To Reduce The Statewide Feral Pig Population.

Gov. Msg. No. 92, dated December 4, 2006, transmitting the Department of Accounting and General Services' Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2005 through June 30, 2006.

Gov. Msg. No. 93, dated December 4, 2006, transmitting the Department of Accounting and General Services' Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for fiscal year ending June 30, 2006.

Gov. Msg. No. 94, dated December 4, 2006, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives for fiscal year ending June 30, 2006.

Gov. Msg. No. 95, dated December 11, 2006, transmitting the Department of Accounting and General Services' Annual Report on Privatization for fiscal year ending June 30, 2006.

Gov. Msg. No. 96, dated December 4, 2006, transmitting the Department of Accounting and General Services' Annual Report on the State Risk Management Revolving Fund on the Transfer of Funds for Risk Management.

Gov. Msg. No. 97, dated December 14, 2006, transmitting pursuant to Act 178, Sections 64 and 65, Session Laws of Hawaii 2005, Requiring the Department of Public Safety to submit a report of all expenditures made for the mainland prisoners.

Gov. Msg. No. 98, dated December 2006, transmitting THE MULTI-YEAR PROGRAM and FINANCIAL PLAN and EXECUTIVE BUDGET For the Period 2007-2013 (Budget Period 2007-09) (on CD), THE VARIANCE REPORT For Fiscal Years 2006 & 2007 VOLUME I, THE VARIANCE REPORT For Fiscal Years 2006 & 2007 VOLUME II, and The FB 2007-09 Executive Biennium Budget Budget in Brief.

Gov. Msg. No. 99, dated December 11, 2006, transmitting the Report from the Department of Transportation and the Department of Health, as required by Section 12 of Act 72, Session Laws of Hawaii 2005.

Gov. Msg. No. 100, dated December 21, 2006, transmitting the Report from the Department of Transportation on Sections 10, 12, and 15 of Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 101, dated December 20, 2006, transmitting the Department of Human Services' Report as required by Section 346-319, Hawaii Revised Statutes.

Gov. Msg. No. 102, dated December 20, 2006, transmitting the Department of Human Services' Report as required by Act 178, Section 42, SLH 2005.

Gov. Msg. No. 103, dated December 22, 2006, transmitting the Report Pursuant to Section 36.1 of Act 160 Session Laws of Hawaii 2006, Requiring a Report by the Department of Health on Purchasing Equipment for the State Laboratory.

Gov. Msg. No. 104, dated December 22, 2006, transmitting the Report Pursuant to H.C.R. 76, H.D. 1, 2006 Requesting the Department of Health to Report on the Status of its Litigation Against Waste Management of Hawaii, Inc. and City and County of Honolulu and Report on How the Department of Health Conducts Health Surveillances Related to Environmental Factors, such as Landfills and Infectious Disease, and How the Divisions of the Department of Health Work Together to Share Information and Determine any Actions to be taken.

Gov. Msg. No. 105, dated December 22, 2006, transmitting the Report Pursuant to Chapter 321-27, Hawaii Revised Statutes, Requesting the Department of Health to Submit a Report on the Status of the Environmental Health Education Fund.

Gov. Msg. No. 106, dated December 21, 2006, transmitting the Report Pursuant to Section 3, Act 170, 2006 Session Laws Directing the Department of Health to Evaluate the Requirements for a Statewide Process to Decontaminate Illegal Methamphetamine Manufacturing Sites.

Gov. Msg. No. 107, dated December 20, 2006, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for November 2006, in response to Section 19.3 of Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 108, dated December 22, 2006, transmitting the Report Pursuant to Part VII, Section 22.1, 22.2, 22.3, and 22.4 of Act 160, Session Laws of Hawaii 2006, Requiring the Department of Health to Submit a Report that Breaks Down Emergency Ambulance Services, Contracting Billing Services and 911 Emergency Medical Services System Dispatch Services by Contracts, Cost Categories, and Dollar Amounts.

Gov. Msg. No. 109, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report on the Acquisition Of Moanalua Gardens.

Gov. Msg. No. 110, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report on The Task Force On Beach And Water Safety.

Gov. Msg. No. 111, dated December 26, 2006, transmitting the Report Pursuant to Chapter 321H-4, Hawaii Revised Statutes, Requiring the Department of Health to Provide an Annual Report on the Activities under the Neurotrauma Special Fund.

Gov. Msg. No. 112, dated December 20, 2006, transmitting the Department of Land and Natural Resources' report on Operations Of The Filing Office For Financing Statements Under The Uniform Commercial Code, Secured Transactions.

Gov. Msg. No. 113, dated December 29, 2006, transmitting the Report Pursuant to Section 18.2, Act 160, Session Laws of Hawaii 2006, Requiring the Department of Health to Report on the On-Line Permitting and Other Environmental Information Management Improvements.

Gov. Msg. No. 114, dated December 21, 2006, transmitting the Report Pursuant to Section 340E-33, Hawaii Revised Statutes, Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health.

Gov. Msg. No. 115, dated December 21, 2006, transmitting the Report Pursuant to Chapter 321-27.5, Hawaii Revised Statutes, requesting the Department of Health to submit an annual audit report of the Sanitation Branch.

Gov. Msg. No. 116, dated December 15, 2006, transmitting the Department of Budget and Finance's report on goals and action plans in accordance with Act 100, SLH 1999.

Gov. Msg. No. 117, dated December 21, 2006, transmitting the Report Pursuant to Section 321-1.4, Hawaii Revised Statutes, Requesting the Department of Health to Submit an Annual Report that Outlines the Status of the Special Fund, Including the Amount of Monies Deposited into and Expended from the Fund, and Sources of Receipts and Uses of Expenditures.

Gov. Msg. No. 118, dated December 22, 2006, transmitting the 2006 Report of the Physician On-Call Task Force.

Gov. Msg. No. 119, dated December 22, 2006, transmitting the Report Pursuant to Senate Concurrent Resolution 227, Session Laws of Hawaii 2005, Requiring the Department of Health to Convene a Task Force to Work with the Hawaii Healthy Start Network Providers to Restructure the Program for Greater Effectiveness.

Gov. Msg. No. 120, dated December 14, 2006, transmitting the Public Utilities Commission's Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 121, dated December 28, 2006, transmitting the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy's Comprehensive Review Report.

Gov. Msg. No. 122, dated December 27, 2006, transmitting the Department of the Attorney General's Report of the Drug Nuisance Abatement Unit.

Gov. Msg. No. 123, dated December 28, 2006, transmitting the Preliminary Report Pursuant to Act 303, Session Laws of 2006 Entitled, "A Bill for an Act Relating to Developmental Disabilities."

Gov. Msg. No. 124, dated December 27, 2006, transmitting the Report Pursuant to Section 16, Act 176, Twenty-First Legislature 2002, Section 2, Act 228, Twenty-Third Legislature 2005 and Section 2, Act 231, Twenty-Fourth Legislature 2006 (Amending Section 6, Session Laws of Hawaii 2005), Requiring the Department of Health to Give a Report on the Activities of the Deposit Beverage Container Program.

Gov. Msg. No. 125, dated December 28, 2006, transmitting the Report Pursuant to Section 340B-12, Hawaii Revised Statutes Requiring the Department of Health to Provide an Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities.

Gov. Msg. No. 126, dated December 28, 2006, transmitting the Report Pursuant to Section 348F-4, Hawaii Revised Statutes, Disability and Communication Access Board Annual Report Fiscal Year 2005-2006.

Gov. Msg. No. 127, dated December 28, 2006, transmitting the Department of Commerce and Consumer Affairs' Annual Compliance Resolution Fund Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 128, dated January 2, 2007, transmitting the Teacher Housing Program; Transfer to DOE report prepared by the Department of Education.

Gov. Msg. No. 129, dated January 2, 2007, transmitting the Superintendent's Fund report prepared by the Department of Education.

Gov. Msg. No. 130, dated January 2, 2007, transmitting the Accountability System report prepared by the Department of Education.

Gov. Msg. No. 131, dated January 2, 2007, transmitting the Educational Assessment And Accountability; Annual Reports prepared by the Department of Education.

Gov. Msg. No. 132, dated January 2, 2007, transmitting the School-By-School Expenditure report prepared by the Department of Education.

Gov. Msg. No. 133, dated January 2, 2007, transmitting the Classification/Compensation Appeals Board report prepared by the Department of Education.

Gov. Msg. No. 134, dated December 29, 2006, transmitting the Report Pursuant to Chapter 333F, Section 6, Hawaii Revised statutes, Regarding Services for Persons with Developmental Disabilities or Mental Retardation, Directing the Department of Health to Keep Waiting Lists of All Individuals who are Eligible for Services and Supports, but for Whom Services and Supports have not been Provided, and the Reasons For the Lack of Services and Supports.

Gov. Msg. No. 135, dated December 22, 2006, transmitting the Report Pursuant to Section 321-234 (d), Hawaii Revised Statutes, Requesting the Department of Health to Submit an Annual Report on the Receipt and Expenditures from the Emergency Medical Services Special Fund.

Gov. Msg. No. 136, dated December 22, 2006, transmitting the Report Pursuant to Act 305, Session Laws of Hawaii 2006, Requesting the Department of Health to Submit an Annual Report on the Expenditures of the Trauma System Special Fund and the Progress Toward Developing a Fully-Integrated Statewide Trauma System.

Gov. Msg. No. 137, dated December 27, 2006, transmitting the Department of Land and Natural Resources' report Relating To The Division Of Conservation And Resources Enforcement's Efforts To Improve Electronic Report Writing, Data Collection And Retrieval For Field Inspection Reports, And Telecommunications With And Between Officers In The Field And Relating To The Division Of Conservation And Resources Enforcement's Planning Efforts, Studies, Community Surveys, And Measures Of Effectiveness To Improve Functions At All Branches.

Gov. Msg. No. 138, dated December 27, 2006, transmitting the Office of Information Practices' Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 139, dated December 28, 2006, transmitting the Report Pursuant to Chapters 128D and 128E, Hawai'i Revised Statutes Requiring the Department of Health to Report Environmental Response Law and Hawai'i Emergency Planning and Community Right to Know Act Financial and Environmental Site Information.

Gov. Msg. No. 140, dated December 28, 2006, transmitting the Annualized And Projected Report On Revenues, Expenditures and Number of Meals To Be Served prepared by the Department of Education.

Gov. Msg. No. 141, dated December 29, 2006, transmitting the Department of Land and Natural Resources' report on Accounting Of All Receipts From Lands Described In Section 5(f) Of The Admission Act For Fiscal Year 2005-2006.

Gov. Msg. No. 142, dated December 27, 2006, transmitting the Department of the Attorney General's Report on Ownership of Honopou Road and Bridge in Maui.

Gov. Msg. No. 143, dated December 27, 2006, transmitting the Department of the Attorney General's 2007 Goals and Objectives.

Gov. Msg. No. 144, dated January 3, 2007, transmitting the Department of the Attorney General's Report by the Hawaii Anti-Trafficking Task Force.

Gov. Msg. No. 145, dated January 3, 2007, transmitting the report by the Task Force to Address the Backlog in Service of Traffic Bench Warrants and Other Arrest Warrants.

Gov. Msg. No. 146, dated December 28, 2006, transmitting the Preliminary Report Pursuant to Senate Concurrent Resolution 144 S.D. 1, Urging the Development of a Long-Term Care Infrastructure Plan for Hawaii to Ensure Public Safety While Supporting Aging in Place.

Gov. Msg. No. 147, dated December 28, 2006, transmitting the Department of Taxation's Electronic Funds Transfer Report.

Gov. Msg. No. 148, dated December 28, 2006, transmitting the Department of Taxation's Integrated Tax Information Management System (ITIMS) Report.

Gov. Msg. No. 149, dated December 28, 2006, transmitting the Department of Taxation's Goals and Objectives Report.

Gov. Msg. No. 150, dated December 29, 2006, transmitting the Report Pursuant to Section 321-63, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report on Dental Health Activities, Expenditures, and Recommendations.

Gov. Msg. No. 151, dated January 2, 2007, transmitting the Report Pursuant to Section 325-25.5, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report to the Legislature on Initiatives and Improvements in Kalaupapa Settlement and to Track Patient and Non-Patients Costs Separately, Whenever Appropriate and Possible.

Gov. Msg. No. 152, dated January 2, 2007, transmitting the Annual Report on the Teacher Education Coordinating Committee prepared by the Department of Education.

Gov. Msg. No. 153, dated December 26, 2006, transmitting the Hawaii Housing Finance and Development Corporation's Report Pursuant to House Concurrent Resolution 202 (2006).

Gov. Msg. No. 154, dated January 2, 2007, transmitting the Carryover Of Funds report prepared by the Department of Education.

Gov. Msg. No. 155, dated January 2, 2007, transmitting the Capital Improvement Program and Repair & Maintenance Program Transfer report prepared by the Department of Education.

Gov. Msg. No. 156, dated January 2, 2007, transmitting the Hawaii 3 R's School Repair And Maintenance Fund report prepared by the Department of Education.

Gov. Msg. No. 157, dated January 2, 2007, transmitting the Reallocation Of Vacant Positions report prepared by the Department of Education.

Gov. Msg. No. 158, dated January 2, 2007, transmitting the Annual Report For Repair And Maintenance prepared by the Department of Education.

Gov. Msg. No. 159, dated January 2, 2007, transmitting the School-Level Minor R & M Accounts report prepared by the Department of Education.

Gov. Msg. No. 160, dated January 2, 2007, transmitting the Transfers Of Appropriated Funds And Positions report prepared by the Department of Education.

Gov. Msg. No. 161, dated January 2, 2007, transmitting the Federal Grant Search, Development, And Application Revolving Fund report prepared by the Department of Education.

Gov. Msg. No. 162, dated January 2, 2007, transmitting the Federal And Trust Funds report prepared by the Department of Education.

Gov. Msg. No. 163, dated January 2, 2007, transmitting the Implementation Of Two-Tier Kindergartens report prepared by the Department of Education.

Gov. Msg. No. 164, dated January 3, 2007, transmitting the Department of the Attorney General's Report of the Surveillance Review Unit.

Gov. Msg. No. 165, dated December 29, 2006, transmitting the Report from the Department of Transportation on Section 7 of Act 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 166, dated December 14, 2006, transmitting the State Energy Resources Coordinator's 2006 Annual Report.

Gov. Msg. No. 167, dated December 29, 2006, transmitting the Report Pursuant to Section 321-195, Hawaii Revised Statutes, Requiring a Report on Implementation of the State Plan for Substance Abuse; Section 329-3, Hawaii Revised Statutes, Requiring a Report by the Hawaii Advisory Commission on Drug Abuse and Controlled Substances; Section 10 of Act 161 Session Laws of Hawaii 2002, Requiring a Status Report on the Coordination of Offender Substance Abuse Treatment Programs; and Section 29 of Act 40 Session Laws of Hawaii 2004, Requiring a Progress Report on the Substance Abuse Treatment Monitoring Program.

Gov. Msg. No. 168, dated December 29, 2006, transmitting the Report Pursuant to Section 334-10 (E), Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report to the Governor and the Legislature on Implementation of the State Plan From the Hawaii State Council on Mental Health; and Pursuant to the Hawaii Administrative Rules, Title 11, Department of Health, Chapter 175 (11-175-03) (b), Requiring the Department of Health to Submit an Annual Report.

Gov. Msg. No. 169, dated December 29, 2006, transmitting the Report from the Department of Transportation, as required by Section 14 of Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 170, dated December 29, 2006, transmitting the Report from the Department of Transportation on Section 10.1 of Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 171, dated December 29, 2006, transmitting the Department of Labor and Industrial Relations' (DLIR) Unemployment Compensation Fund report for fiscal year ending June 30, 2006.

Gov. Msg. No. 172, dated December 29, 2006, transmitting the Department of Human Services' Report as required by Act 100, Section 2, SLH 2006.

Gov. Msg. No. 173, dated January 2, 2007, transmitting the McKinley High School Physical Education and Athletic Facilities report prepared by the Department of Education.

Gov. Msg. No. 174, dated January 2, 2007, transmitting the December 1, 2006 Report On The Work Of The Second Committee On Weights prepared by the Department of Education.

Gov. Msg. No. 175, dated January 2, 2007, transmitting the Department of Human Services' Report as required by Act 160, Section 8. (15), Section 157.1, SLH 2006.

Gov. Msg. No. 176, dated January 2, 2007, transmitting the Department of Human Services' Report as required by Act 287, SLH 2006.

Gov. Msg. No. 177, dated December 29, 2006, transmitting the Department of Human Services' Report as required by section 346-7.5, Hawaii Revised Statutes.

Gov. Msg. No. 178, dated December 29, 2006, transmitting the Department of Human Services' Report as requested by House Concurrent Resolution 166, House Draft 1, adopted by the 2006 Hawaii State Legislature.

Gov. Msg. No. 179, dated December 29, 2006, transmitting the Department of Human Services' Report as required by Act 160, Section 8. (20), Section 168.4, Session Laws of Hawaii 2006.

Gov. Msg. No. 180, dated January 3, 2007, transmitting the Report Pursuant to House Concurrent Resolution No. 36, H.D. 1, S.D. 1, Requesting the Director of Health to Conduct a Prevention and Education Campaign on the Increasing Incidence of Bedbugs.

Gov. Msg. No. 181, dated January 3, 2007, transmitting the Report Pursuant to Section 342D-82, Hawaii Revised Statutes, Relating to the State Water Pollution Control Revolving Fund of the Department of Health.

Gov. Msg. No. 182, dated December 28, 2006, transmitting the Report Pursuant to Senate Concurrent Resolution 115, S.D.1, Requesting that the State Executive Office on Aging Convene a Focus Group with Other Stakeholders to Assess Yearly Service Delivery Needs and Long-Term Strategic Planning for Kupuna Care.

Gov. Msg. No. 183, dated December 28, 2006, transmitting the Report Pursuant to Section 349-5(2) Hawaii Revised Statutes, Requiring the Executive Office on Aging to Provide an Annual Evaluation Report on Elder Programs for the Governor and to the Legislature.

Gov. Msg. No. 184, dated December 29, 2006, transmitting the Report Pursuant to Section 321-175, Hawaii Revised Statutes, Requiring Every Four Years the Department of Health Shall Develop and Present to the Governor and the Legislature a Current Statewide Children's Mental Health Services Plan; and Pursuant to Section 321-176, Hawaii Revised Statutes, Requiring Every Two Years the Department of Health Shall Submit to the Legislature and the Governor an Analysis of the Progress Made Toward Fulfilling the Statewide Children's Mental Services Plan Developed Under H.R.S. 321-175.

Gov. Msg. No. 185, dated December 19, 2006, transmitting the report, STATISTICS OF HAWAII AGRICULTURE 2005.

Gov. Msg. No. 186, dated December 27, 2006, transmitting the Department of Land and Natural Resources' report on The South Kona-Ka'u Coastal Conservation Task Force.

Gov. Msg. No. 187, dated January 5, 2007, transmitting the Hawaii Department of Agriculture's Report of the Animal Quarantine Program.

Gov. Msg. No. 188, dated January 3, 2007, transmitting the Report Pursuant to Section 321-1.3, Hawaii Revised Statutes Requiring the Department of Health to Submit an Annual Report for the Domestic Violence and Sexual Assault Special Fund.

Gov. Msg. No. 189, dated December 29, 2006, transmitting the Public Utilities Commission's comprehensive plan to restructure and supplement the commission.

Gov. Msg. No. 190, dated January 5, 2007, transmitting the Annual Report as required by Act 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 191, dated January 5, 2007, transmitting the final Hawaii Ocean Resources Management Plan.

Gov. Msg. No. 192, dated January 8, 2007, transmitting the Department of Land and Natural Resources' report On Land Dispositions Made Of Public Lands For Calendar Year 2006.

Gov. Msg. No. 193, dated January 9, 2007, transmitting the Hawaii Housing Finance and Development Corporation's Report Pursuant to Act 288, Session Laws of Hawaii 2006 Relating to Land Acquisition (Kukui Gardens).

Gov. Msg. No. 194, dated January 9, 2007, transmitting the 7th Annual Report Summary and the 201M-7 Administrative Rule Review Report of the Small Business Regulatory Review Board.

Gov. Msg. No. 195, dated January 9, 2007, transmitting the Report of the Independent Civil Investigation of the March 14, 2006, Breach of the Ka Loko Dam, by Special Deputy Attorney General.

Gov. Msg. No. 196, dated January 9, 2007, transmitting the Report summarizing the progress and status of collaboration between the State of Hawaii and both public and private aerospace-related agencies and institutions, national and international, to help expand and diversify Hawaii's aerospace industry through development of the Pacific International Space Center for Exploration Systems (PISCES).

Gov. Msg. No. 197, dated January 8, 2007, transmitting the Report Pursuant to S.C.R. No. 117, H.D. 1, Regarding a Progress Report of the Task Force Convened to Evaluate and Recommend Possible Procedural, Statutory, and Public Policy Changes to Minimize the Census at Hawaii State Hospital and Promote Community-Based Health Services for Forensic Patients.

Gov. Msg. No. 198, dated December 22, 2006, transmitting the Joint Report from the Aloha Tower Development Corporation on Section 8.1 and from the Department Transportation on Section 13.1, both of which are required by Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 199, dated January 12, 2007, transmitting the Department of Land and Natural Resources' report on Requiring All Departments And Agencies To Identify Their Goals, Objectives, And Policies, To Provide A Basis For Determining Priorities And Allocating Limited Public Funds and Human Resources.

Gov. Msg. No. 200, dated December 15, 2006, transmitting the Department of Land and Natural Resources' report on the Pilot Program To Train Appraisers To Use Income Approach To Set Lease Rent Rates For State Agricultural Lease Reopenings.

Gov. Msg. No. 201, dated January 12, 2007, transmitting the Mandatory Expulsion Policy For Possession Of A Firearm School Year 2005-06 report prepared by the Department of Educations.

Gov. Msg. No. 202, dated January 12, 2007, transmitting the Standards-Based Curriculum report prepared by the Department of Education.

Gov. Msg. No. 203, dated January 12, 2007, transmitting the State of Hawaii Environmental Council 2006 Annual Report.

SENATE COMMUNICATION

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

Sen. Com. No. 1, transmitting S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS," which was adopted by the Senate on January 17, 2007.

Representative Caldwell moved that S.C.R. No. 1 be adopted, seconded by Representative Finnegan.

The Chair then addressed Representative Tokioka, stating:

"What is this Senate Concurrent Resolution No. 1 all about?"

At 12:05 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

Representative Tokioka rose to respond, stating:

"Thank you, Mr. Speaker. Senate Concurrent Resolution requesting the Chief Justice of the Hawaii Supreme Court to address the Legislature assembling in a Joint Session for the State of the Judiciary Address."

The Chair then addressed Representative Bertram, stating:

"Representative Bertram, what time is this address going to be occurring?"

Representative Bertram responded, stating:

"Mr. Speaker, that will be occurring at 10:00 a.m. on Wednesday on January 24, 2007."

The Chair then stated:

"Thank you very much. You are absolutely correct."

The motion was put to vote by the Chair and carried, and S.C.R. No. 1 was adopted with Representatives Souki and Takai being excused.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 1 through 38) were received by the Clerk and were placed on file:

Dept. Com. No. 1, from Patricia Hamamoto, Superintendent, Department of Education, transmitting the annual Teacher Employment Report.

Dept. Com. No. 2, dated September 28, 2006, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management Audit of Kailua High School.

Dept. Com. No. 3, dated October 30, 2006, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis: Genetic Counselors.

Dept. Com. No. 4, dated November 8, 2006, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Review of Revolving Funds, Trust Funds, and Trust Accounts of the Office of the Governor, Office of the Lieutenant Governor, Department of Education and Hawai'i State Public Library System, and Office of Hawaii Affairs.

Dept. Com. No. 5, dated October 2006, from the Department of Labor and Industrial Relations, transmitting the 2005 Employment and Payrolls in Hawai'i.

Dept. Com. No. 6, dated November 20, 2006, from Georgina K. Kawamura, Director of Finance, Department of Budget and Finance, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 2006.

Dept. Com. No. 7, dated December 4, 2006, from Thomas M. Driskill, Jr., President/CEO, Hawaii Health Systems Corporation, transmitting the Annual Report for the Program of All-Inclusive Care for the Elderly (PACE) for the fiscal year ending June 30, 2006.

Dept. Com. No. 8, dated December 7, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on University of Hawai'i Tuition & Fees Special Fund Expenditures for the Purpose of Generating Private Donations FY 2006.

Dept. Com. No. 9, dated December 7, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Salaries Paid to Executive/Managerial and Faculty Employees.

Dept. Com. No. 10, dated December 7, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Uncollectible Accounts.

Dept. Com. No. 11, dated December 7, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on The Medical Education Council on a Summary of the Expenditures of Program Monies Authorized by the Council.

Dept. Com. No. 12, dated December 14, 2006, from Patti Y. Miyamoto, Interim Executive Director, Hawaii Public Housing Authority, Department of Human Services, transmitting the Department of Human Services' Report as required by Act 178, Section 39, SLH 2005 for FY 06.

Dept. Com. No. 13, dated December 15, 2006, from Isaac W. Choy, Chair, Tax Review Commission, transmitting the Report of the 2005-2007 Tax Review Commission.

Dept. Com. No. 14, dated December 15, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Long-Term Development of Observatory Sites on the Summit of Mauna Kea.

Dept. Com. No. 15, dated December 15, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the activities of the Hawai'i Research Center for Future Studies.

Dept. Com. No. 16, dated December 15, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on The Hawai'i State Center for Nursing.

Dept. Com. No. 17, dated December 14, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Nursing Scholars Program.

Dept. Com. No. 18, dated December 18, 2006, from Clyde W. Nomuo, Administrator, Office of Hawaiian Affairs, transmitting OHA's Report pursuant to HCR 278, HD 1, Requesting the Office of Hawaiian Affairs, Department of Transportation, Department of Hawaiian Home Lands, Department of Land and Natural Resources, City and County of Honolulu, Honolulu Board of Water Supply, Queen Emma Foundation, And Kamehameha Schools To Support The Establishment of A Cultural Preserve In Ha'iku Valley And North Halawa Valley.

Dept. Com. No. 19, from the Research and Statistics Office, Department of Labor and Industrial Relations, transmitting the Workers' Compensation Data Book 2005.

Dept. Com. No. 20, dated December 28, 2006, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis: Athlete Agents.

Dept. Com. No. 21, dated December 22, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the Systemwide Office for Student Affairs.

Dept. Com. No. 22, dated December 22, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Department of Information and Computer Sciences Cyber Security Degree Programs.

Dept. Com. No. 23, dated December 22, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Tuition Waiver Program 2005-06 and Student Scholarship and Assistance Special Fund 2005-06.

Dept. Com. No. 24, dated December 22, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the Hawai'i Institute for Teacher Education formerly the Center for Teacher Education.

Dept. Com. No. 25, dated December 22, 2006, from David McClain, President, University of Hawai'i, transmitting the Annual Report on University of Hawaii Risk Management Special Fund.

Dept. Com. No. 26, dated January 2, 2007, from Robin K. Matsunaga, Ombudsman, Office of the Ombudsman, transmitting their annual report.

Dept. Com. No. 27, from the Legislative Reference Bureau, transmitting their report, CLARIFYING STATUTORY REFERENCES IN STATE HOUSING AGENCY LAWS.

Dept. Com. No. 28, from the Legislative Reference Bureau, transmitting their report, ROCKSLIDES: AN EXAMINATION OF LEGISLATION IN DIFFERENT STATES.

Dept. Com. No. 29, dated January 2, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Transfer of Appropriated Funds and Positions.

Dept. Com. No. 30, dated January 2, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on University of Hawai'i and the Department of Transportation on the Relocation of the University of Hawai'i Marine Center.

Dept. Com. No. 31, dated January 2, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Special and Revolving Fund Expenditures in Excess of Each Fund's Appropriation Approved by the President.

Dept. Com. No. 32, from the University of Hawai'i, transmitting the revised version of the Annual Report on "The Hawai'i Institute for Teacher Education formerly the Center for Teacher Education."

Dept. Com. No. 33, dated January 9, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Identity Theft Task Force's interim report of task force activities in 2006 and its plan for 2007.

Dept. Com. No. 34, dated January 10, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Financial Audit of the Hawai'i Youth Correctional Facility.

Dept. Com. No. 35, dated January 8, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the Construction Initiative.

Dept. Com. No. 36, dated January 8, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Government Operations and Biennium Report on Benchmarks and Performance Indicators.

Dept. Com. No. 37, dated January 8, 2007, from David McClain, President, University of Hawai'i, transmitting the Feasibility Study of Green Roof Technologies in Urban Districts in Hawai'i.

Dept. Com. No. 38, dated December 2006, transmitting the Report of the Ombudsman For the Period July 1, 2005 – June 30, 2006 Report No. 37.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 1 through 5) were received by the Clerk and were placed on file:

Misc. Com. No. 1, dated August 22, 2006, from Patrick H. DeLeon, Administrative Assistant, Office of Senator Inouye, United States Senate, acknowledging receipt of House Concurrent Resolution 80.

Misc. Com. No. 2, dated September 21, 2006, from Ruben Barrales, Deputy Assistant to the President and Director of Intergovernmental Affairs, The White House, acknowledging receipt of Resolution Nos. 27, 34, 47, 48, 80, 120.

Misc. Com. No. 3, dated November 30, 2006, from Gordon G.W. Lum, Executive Director, Oahu Metropolitan Planning Organization, transmitting the Report on the Feasibility of an Alternate Route of Ingress to and Egress from Mililani Mauka.

Misc. Com. No. 4, dated November 27, 2006, from Wynne M. Ushigome, Acting Manager and Chief Engineer, Department of Water, County of Kaua'i, transmitting the County of Kauai, Department of Water's proposed CIP projects request for State aid for the 2007 Legislative Session.

Misc. Com. No. 5, dated December 26, 2006, from Jay T. Kimura, Prosecuting Attorney, Office of the Prosecuting Attorney, County of Hawaii, transmitting the Big Island Juvenile Intake and Assessment Center (BIJIAC) study regarding the feasibility of establishing juvenile receiving homes in East and West Hawai'i County.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 1 through 153) passed First Reading by title and were referred to Printing: (Representatives Souki and Takai were excused.)

H. B. Nos.	
1	"A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM."
	Introduced by: Representatives Evans and Har.
2	"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
	Introduced by: Representatives Evans and Har.
3	"A BILL FOR AN ACT RELATING TO PRISONS."
	Introduced by: Representatives Evans and Har.
4	"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
	Introduced by: Representatives Evans and Har.
5	"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
	Introduced by: Representatives Evans and Har.
6	"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."
	Introduced by: Representatives Takumi, Green and Thielen.

"A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM."

Introduced by: Representatives Takumi, Green and Thielen.

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Representatives Takumi, Green and Thielen.

"A BILL FOR AN ACT RELATING TO PRESCRIPTIONS."

Introduced by: Representatives Takumi, Green and Thielen.

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Representatives Takumi, Belatti, Berg, Lee, Luke, Morita, Nishimoto, Saiki, Takai, Thielen, Rhoads and Wakai.

"A BILL FOR AN ACT RELATING TO ADVERTISING BY MANUFACTURERS OF PRESCRIPTION DRUGS AND DISCLOSURE OF CLINICAL TRIALS."

Introduced by: Representatives Takumi, Green and Thielen.

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS."

Introduced by: Representatives Takumi, Belatti, Berg, Lee, Luke, Morita, Nishimoto, Saiki, Takai, Thielen, Rhoads and Wakai.

"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO EDUCATION."

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"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

"A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION REPAIR AND MAINTENANCE ACCOUNTS."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Takumi, Belatti, Berg, Luke, Morita, Nishimoto, Saiki, Takai and Wakai.

"A BILL FOR AN ACT RELATING TO TEACHER LICENSING."

Introduced by: Representatives Takumi and Berg.

"A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Takumi.

"A BILL FOR AN ACT RELATING TO INJURY PREVENTION."

Introduced by: Representative Takumi.

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

Introduced by: Representatives Takumi, Berg, Morita, Takai and Takamine.

"A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS."

Introduced by: Representatives Takumi, Belatti, Berg, Luke, Morita, Nishimoto, Takai, Saiki, Takamine and Wakai.

"A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Representatives Takumi, Belatti, Berg, Lee, Luke, Morita, Nishimoto, Takai, Rhoads, Takamine and Wakai.

32 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Takumi and Takamine.

33 "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW."

Introduced by: Representatives Takumi, Berg, Luke, Morita, Belatti and Takamine.

34 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Takumi, Berg, Lee, Luke, Morita, Rhoads, Takai, Belatti and Takamine.

35 "A BILL FOR AN ACT RELATING TO ECONOMIC ASSISTANCE."

Introduced by: Representatives Takumi, Takamine and Wakai.

36 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives Tokioka, Bertram, McKelvey, Morita, Sagum, Evans and Ito.

37 "A BILL FOR AN ACT RELATING TO UNADJUDICATED TRAFFIC FINES."

Introduced by: Representatives Tokioka, Evans, Ito, McKelvey, Morita, Sagum, Bertram and Har.

38 "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE AND COUNTY GOVERNMENTS."

Introduced by: Representatives Tokioka, Bertram, Evans, McKelvey, Morita, Sagum and Ito.

39 "A BILL FOR AN ACT RELATING TO RENEWABLE RESOURCES."

Introduced by: Representatives Thielen, Luke, Marumoto, Belatti, Carroll, Morita and Saiki.

40 "A BILL FOR AN ACT RELATING TO ELECTRIC RESTRUCTURING."

Introduced by: Representative Thielen.

41 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Thielen, Shimabukuro, Belatti, Berg, Evans, Luke, Morita and Takumi.

42 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representatives Thielen, Luke and McKelvey.

43 "A BILL FOR AN ACT RELATING TO ELECTRIC WHEELING."

Introduced by: Representative Thielen.

44 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representatives Thielen, Green and McKelvey.

45 "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES."

Introduced by: Representatives Thielen, Berg, Evans and Marumoto.

46 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Thielen, Luke and McKelvey.

47 "A BILL FOR AN ACT RELATING TO SUN PROTECTION."

Introduced by: Representatives Thielen, Green and McKelvey.

48 "A BILL FOR AN ACT RELATING TO JURY SERVICE."

Introduced by: Representatives Thielen and Marumoto.

49 "A BILL FOR AN ACT RELATING TO GREENHOUSE GASES."

Introduced by: Representatives Thielen, Belatti, Carroll, Luke, Morita and Saiki.

50 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Thielen, Luke, Morita, Carroll and Mizuno.

51 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS FOR THE FIFTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Thielen.

52 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Representatives Sonson, Chang, Morita, Carroll, Green, Karamatsu, McKelvey, Mizuno, Rhoads, Souki and Wakai.

53 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Mizuno, Chang and Souki.

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

Introduced by: Representatives Mizuno, Bertram, Carroll, Chong, Green, Ito, Manahan, Tsuji, Thielen, Brower, Ching, Karamatsu, McKelvey, Rhoads, Say, Shimabukuro, Souki, Takumi and Waters.

55 "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION."

Introduced by: Representatives Mizuno, Carroll, Chang, Chong, Evans, Green, Karamatsu, Manahan, Sonson, Thielen, Tsuji, Waters, Yamashita, Bertram, Ito, Say and Shimabukuro.

56 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno, Chang, Karamatsu, Manahan, Shimabukuro, Bertram, Brower, Chong, Ito, Rhoads, Sonson, Souki, Takumi and Tsuji.

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

Introduced by: Representative Marumoto.

58 "A BILL FOR AN ACT RELATING TO THE PROHIBITION OF THE SALE OF PRIVATE TELEPHONE RECORDS."

Introduced by: Representative Marumoto.

59 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representative Marumoto.

60 "A BILL FOR AN ACT RELATING TO THE LONG-TERM CARE RESOURCE PROGRAM AT KAPIOLANI COMMUNITY COLLEGE."

Introduced by: Representative Marumoto.

61 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CENTER ON GERONTOLOGY AT THE UNIVERSITY OF HAWAII AT MANOA."

Introduced by: Representative Marumoto.

62 "A BILL FOR AN ACT RELATING TO THE RESCISSION OF THE COUNTY AUTHORIZATION TO IMPOSE A SURCHARGE ON THE GENERAL EXCISE TAX."

Introduced by: Representatives Marumoto and Berg.

63 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Cabanilla, Bertram, Brower, Carroll, Chong, Karamatsu, Mizuno, Nishimoto, Sagum, Say, Sonson, Souki and Wakai.

64 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Representatives Cabanilla, Bertram, Mizuno, Rhoads, Karamatsu, Luke, Nishimoto, Sagum, Say, Sonson and Souki.

65 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Cabanilla, Takai, Berg, Bertram, Carroll, Chong, Karamatsu, Mizuno, Sagum, Say, Sonson, Souki and Wakai.

66 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Cabanilla, Berg, Bertram, Brower, Carroll, Chong, Karamatsu, Mizuno, Sagum, Say, Sonson and Souki.

67 "A BILL FOR AN ACT RELATING PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Cabanilla, Takai, Berg, Bertram, Carroll, Chong, Karamatsu, Luke, Mizuno, Sagum, Say, Sonson, Souki and Wakai.

68 "A BILL FOR AN ACT RELATING TO MEETINGS OF BOARDS OF DIRECTORS."

Introduced by: Representatives Cabanilla, Takai, Berg, Bertram, Brower, Carroll, Chong, Karamatsu, Mizuno, Sagum, Say, Sonson and Wakai.

69 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representatives Cabanilla, Berg, Bertram, Brower, Chong, Karamatsu, Mizuno, Nishimoto, Sagum, Say and Sonson.

70 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Cabanilla, Bertram, Chong, Karamatsu, Luke, Nishimoto, Sagum, Say, Sonson and Souki.

71 "A BILL FOR AN ACT RELATING TO NURSE AIDES."

Introduced by: Representative Herkes.

72 "A BILL FOR AN ACT RELATING TO KONA COFFEE."

Introduced by: Representative Herkes, by request.

73 "A BILL FOR AN ACT RELATING TO CONSUMER ACTIONS."

Introduced by: Representative Herkes.

74 "A BILL FOR AN ACT RELATING TO PROPERTY INSURANCE."

Introduced by: Representative Herkes.

75 "A BILL FOR AN ACT RELATING TO BUILDING CODES."

Introduced by: Representative Herkes.

76 "A BILL FOR AN ACT RELATING TO LOANS FOR HEALTH PROFESSIONALS."

Introduced by: Representative Herkes.

77 "A BILL FOR AN ACT RELATING TO LEAHI HOSPITAL."

Introduced by: Representative Herkes.

78 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Herkes.

79 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA AND KA‘U SCHOOLS."

Introduced by: Representative Herkes.

80 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Herkes.

81 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Herkes.

82 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Herkes.

83 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Herkes.

84 "A BILL FOR AN ACT RELATING TO NONECONOMIC DAMAGES."

Introduced by: Representative Herkes.

85 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Herkes.

86 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Herkes.

87 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Herkes.

88 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Representative Herkes.

89 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

91 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Representative Herkes.

92 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representative Herkes.

93 "A BILL FOR AN ACT RELATING TO BUILDING CODES."

Introduced by: Representative Herkes.

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

Introduced by: Representative Herkes.

95 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Representative Herkes.

96 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representative Herkes.

97 "A BILL FOR AN ACT RELATING TO HAZARDS."

Introduced by: Representative Herkes.

98 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES."

Introduced by: Representative Herkes.

99 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Representatives Shimabukuro, Belatti, Bertram, Evans, Green, Hanohano, Lee, Luke, McKelvey, Mizuno, Morita, Rhoads, Takai, Waters, Brower, Sagum, Tokioka, Wakai and Yamashita.

100 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Shimabukuro, Belatti, Bertram, Green, Hanohano, McKelvey, Mizuno, Morita, Takai, Brower and Rhoads.

101 "A BILL FOR AN ACT RELATING TO HOMEOWNERSHIP."

Introduced by: Representatives Shimabukuro, Hanohano, Belatti and Bertram.

102 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Shimabukuro, Hanohano, Belatti and Bertram.

103 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Representatives Shimabukuro, Hanohano, Belatti and Bertram.

104 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Shimabukuro.

105 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Shimabukuro.

106 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Representatives Shimabukuro, Hanohano, Belatti and Bertram.

107 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Shimabukuro, Belatti, Cabanilla, Green, Hanohano, McKelvey, Mizuno, Rhoads, Takai, Bertram, Brower and Morita.

108 "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."

Introduced by: Representatives Shimabukuro, Hanohano and Bertram.

109 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

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

Introduced by: Representative Shimabukuro.

111 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Shimabukuro.

112 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Shimabukuro.

113 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Shimabukuro.

114 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."

Introduced by: Representatives Evans, McKelvey and Morita.

115 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Evans, Har and McKelvey.

116 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."

Introduced by: Representative Evans.

117 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Evans.

118 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Representative M. Oshiro.

119 "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS."

Introduced by: Representative M. Oshiro.

120 "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX LAW."

Introduced by: Representative M. Oshiro.

121 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representative M. Oshiro.

122 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representatives M. Oshiro, Brower, Cabanilla, Chang, Chong, Hanohano, Lee, Magaoay, Mizuno, Morita, Rhoads, Tokioka, Wakai, Yamane and Souki.

123 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives M. Oshiro, Brower, Cabanilla, Chang, Chong, Hanohano, Lee, Magaoay, Morita, Rhoads, Tokioka, Wakai, Yamane and Souki.

124 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives B. Oshiro and Waters.

125 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representative B. Oshiro.

126 "A BILL FOR AN ACT RELATING TO ESTATE AND TRANSFER TAX."

Introduced by: Representatives B. Oshiro and M. Oshiro.

127 "A BILL FOR AN ACT RELATING TO JURIES."

Introduced by: Representative B. Oshiro.

128 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representatives B. Oshiro and Berg.

129 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Representatives B. Oshiro and Waters.

130 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Awana.

131 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BEAUTIFICATION PROJECTS ALONG THE WAIANAE COAST."

Introduced by: Representatives Awana, Har and Shimabukuro.

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

Introduced by: Representatives Awana, Ching, Marumoto, Thielen, Ward, Bertram, Saiki, Shimabukuro and Wakai.

133 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Awana, Har, Nishimoto, Shimabukuro and Sonson.

134 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Representatives Awana, Carroll, McKelvey and Morita.

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

Introduced by: Representatives Chang, Evans, Herkes, Takai, Bertram, Hanohano, Karamatsu, Magaoay, Mizuno, Sonson, Souki, Takamine, Takumi, Yamane and Yamashita.

136 "A BILL FOR AN ACT RELATING TO AIDS RESEARCH."

Introduced by: Representatives Chang, Karamatsu, Magaoay, Mizuno, Shimabukuro, Tsuji, Yamane, Bertram, Herkes, Sonson, Souki, Takamine, Takumi and Yamashita.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

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

Introduced by: Representative Chang.

142 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives Chang, Bertram, Evans, Hanohano, Magaoay, Shimabukuro, Sonson, Takai, Yamane, Herkes, Karamatsu, Mizuno, Souki, Takamine, Takumi, Tsuji and Yamashita.

143 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representatives Chang, Karamatsu, Tsuji, Bertram, Evans, Magaoay, Mizuno, Souki, Takamine and Yamashita.

144 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Chang, Sonson, Takai, Tsuji, Yamane, Bertram, Evans, Herkes, Karamatsu, Magaoay, Mizuno, Shimabukuro, Souki, Takamine, Takumi and Yamashita.

145 "A BILL FOR AN ACT RELATING TO THE STATE VETERANS' HOME."

Introduced by: Representatives Chang, Evans, Karamatsu, Takai, Tsuji, Bertram, Herkes, Magaoay, Mizuno, Shimabukuro, Sonson, Souki, Takamine, Yamane and Yamashita.

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

Introduced by: Representatives Chang, Shimabukuro, Bertram, Evans, Hanohano, Herkes, Karamatsu, Magaoay, Mizuno, Sonson, Souki, Takamine, Takumi, Yamane and Yamashita.

147 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SURVEY AND ENGINEERING DESIGN FEES FOR THE DEVELOPMENT OF AN INDUSTRIAL PARK AT MANA, HILO, HAWAII."

Introduced by: Representatives Chang, Bertram, Hanohano, Herkes, Karamatsu, Magaoay, Mizuno, Souki, Takamine, Takumi, Tsuji, Yamane and Yamashita.

148 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Chang, Evans, Karamatsu, Magaoay, Mizuno, Takai, Yamashita, Bertram, Herkes, Shimabukuro, Sonson, Souki, Takamine, Takumi, Tsuji and Yamane.

149 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Representatives Chang, Evans, Karamatsu, Mizuno, Takai, Yamane, Bertram, Hanohano, Herkes, Magaoay, Shimabukuro, Sonson, Souki, Takamine, Takumi, Tsuji and Yamashita.

150 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

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

Introduced by: Representatives Shimabukuro and Awana.

152 "A BILL FOR AN ACT RELATING TO LOCAL CONTROL."

Introduced by: Representatives Shimabukuro and Awana.

153 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Shimabukuro and Awana.

The Chair then stated:

"The Chair would like to say thank you very much to the Members of this House for introducing their bills as of yesterday afternoon. The staff and I, and the Majority leadership will be going over the referrals over the next couple of days. But I wanted to say thank you because I've already started the referral process in getting the bills to the respective Committees."

INTRODUCTION OF RESOLUTION

By unanimous consent, the following concurrent resolution (H.C.R No. 3) was referred to Printing and further action was deferred:

H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY ALL PLANNED COMMUNITY ASSOCIATIONS IN HAWAII, THEIR SIZE, AND THE LAWS UNDER WHICH THEY ARE REGULATED," was jointly offered by Representatives Cabanilla, Takai, Berg, Bertram, Carroll, Chong, Karamatsu, Rhoads, Sagum, Say, Sonson, Souki and Wakai.

ANNOUNCEMENTS

Representative Mizuno: "Thank you, Mr. Speaker. I just want you to know that the Keiki Caucus package is completed. If you would like to sign those bills, they're in Room 437. We will have staff members there until 4:00 p.m. Thank you."

Representative Thielen: "Thank you. Mr. Speaker, on behalf of Representative Hermina Morita, Chair of Energy and Environmental Protection Committee, and myself, we cordially invite and strongly urge you to attend tomorrow's showing of *An Inconvenient Truth*. The opening remarks are going to be made by Jeff Mikulina, who has been trained by Al Gore and it will be a very, very informative hearing, tomorrow in the Auditorium. No popcorn, but no admission charge. And it starts at 1:00 p.m.

"For those of you who have not seen it, please come. For those of you who have seen it, please send staff members who have not. The time is upon us and I think this is a very critical way to begin this Session. *An Inconvenient Truth*, tomorrow, 1:00 in the Auditorium. Thank you."

Representative Ward: "Mr. Speaker, on behalf of Vice Speaker Karamatsu and myself and the Small Business Caucus, I invite all Members, whether you are with us or you want to participate. Tomorrow we are having the small business community come to Room 224 and it's essentially to hash out some of the problems, some of the priorities that they have, and some of the things that they'd like to see us carry off in the 2007 Legislature. And unlike the places where they refuse popcorn, we are actually going to give you pizza. Thank you, Mr. Speaker."

Representative Lee: "For the Members of the Finance Committee, the hearing this afternoon will be at 1:30, rather than 1:00 p.m. Please note that change. Thank you."

Representative Carroll: "Thank you, Mr. Speaker. Yes, I would like to announce that there is a joint hearing for the Senate Committee on Energy and Environment and House Committee on Energy and Environmental Protection, which is today, 1:30 p.m. in Conference Room 229. Thank you."

Representative Takai: "Thank you, Mr. Speaker. I would like to recognize someone, one of the Members of our Chamber. Before I do that, I just wanted to mention that yesterday we recognized the Chief Clerk and her birthday, and the doctor's newborn. Today I would like to have the Members of this Chamber recognize one of our own. She moonlights as a Reserve officer in the Army Reserves. And for those of you who don't know, just a few weeks ago, our own Rida Cabanilla was promoted to Lt. Colonel. Thank you, Mr. Speaker."

Representative Chong: "Thank you, Mr. Speaker. There will be a joint briefing with the Senate Water, Agriculture and Hawaiian Affairs Committee, along with the House Water, Land and Ocean Resources Committee, tomorrow morning 8:30 in Room 414."

Representative Nakasone: "The Labor Committee is having an information meeting tomorrow at 9:00 in Room 309, dealing with workers' comp."

Representative Wakai: "Thank you, Mr. Speaker. We have a very taxing briefing tomorrow. The subject of the briefing is the Tax Review Commission telling us how money is collected, as well as how we spend it. That briefing is with the Finance Committee at 10:00 tomorrow morning in the Auditorium. Thank you very much."

ADJOURNMENT

At 12:13 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, January 19, 2007. (Representative Souki was excused.)

THIRD DAY

Friday, January 19, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:01 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Ron Carlson of Sukyo Mahikari, after which the Roll was called showing all members present with the exception of Representatives McKelvey, M. Oshiro and Takamine, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 204 through 213) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 204, dated January 23, 2007, transmitting the Report from the Department of Transportation, as required by Act 118, Session Laws of Hawaii 2006.

Gov. Msg. No. 205, dated January 19, 2007, transmitting the Department of Accounting and General Services' Annual Report on Planned Energy Projects Requiring General Obligation Bond Funding in the Fiscal Biennium 2007-2009.

Gov. Msg. No. 206, dated January 15, 2007, transmitting the Office of the Governor/Department of Accounting and General Services' Annual Report on the Congresswoman Patsy T. Mink Commission for the period July 1, 2006 through December 15, 2006.

Gov. Msg. No. 207, dated January 12, 2007, transmitting the Pesticides Disposal Assistance Program.

Gov. Msg. No. 208, dated January 11, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Language Access Law report for calendar year ending December 31, 2006.

Gov. Msg. No. 209, dated January 16, 2007, transmitting the Department of Land and Natural Resources' report on Emergency Relief Expenditures For Natural Disasters Occurring In February And March 2006 And Status Of Dam Safety Inspections And Assessments.

Gov. Msg. No. 210, dated January 12, 2007, transmitting the Report Pursuant to Section 321-1.5(6), Hawaii Revised Statutes, Primary Care Incentive Program.

Gov. Msg. No. 211, dated January 12, 2007, transmitting the Early Childhood Education report prepared by the Department of Education.

Gov. Msg. No. 212, dated January 12, 2007, transmitting the Department of Human Services' Report as requested by Act 160, Section 4 (39), Section 38.1, SLH 2006.

Gov. Msg. No. 213, dated January 12, 2007, transmitting the 2006 DBEDT Annual Report as required under Chapter 201-10, Hawaii Revised Statutes.

SENATE COMMUNICATIONS

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

Sen. Com. No. 2, returning H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2007," which was adopted by the Senate on January 18, 2007.

Sen. Com. No. 3, returning H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," which was adopted by the Senate on January 18, 2007.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 39 through 40) were received by the Clerk and were placed on file:

Dept. Com. No. 39, dated January 11, 2007, from Thomas R. Keller, Administrative Director of the Courts, the Judiciary, transmitting a table inadvertently omitted from the Judiciary's "Reports to the Twenty-Fourth Legislature" document recently submitted.

Dept. Com. No. 40, dated January 2, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the Status of Nursing for 2007.

ORDER OF THE DAY

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 154 through 415) passed First Reading by title and were referred to Printing: (Representatives McKelvey, M. Oshiro and Takamine were excused.)

H. B. Nos.

154 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY."

Introduced by: Representatives Souki and Nishimoto.

155 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION."

Introduced by: Representative Souki.

156 "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES WHILE DRIVING."

Introduced by: Representatives Souki and Nishimoto.

157 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representatives Souki and Nishimoto.

158 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Souki.

159 "A BILL FOR AN ACT RELATING TO VOCATIONAL TRAINING."

Introduced by: Representatives Hanohano, Awana, Evans, McKelvey, Mizuno, Rhoads, Tokioka, Ward, Belatti, Bertram, Brower and Har.

160 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION."

Introduced by: Representative M. Oshiro.

161 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representative M. Oshiro.

162 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Representative M. Oshiro.

163 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Representative M. Oshiro.

164 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."

Introduced by: Representative M. Oshiro.

165 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative M. Oshiro.

166 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Representative M. Oshiro.

167 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Representative M. Oshiro.

168 "A BILL FOR AN ACT RELATING TO STATE REVENUES."

Introduced by: Representative M. Oshiro.

169 "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS."

Introduced by: Representative M. Oshiro.

170 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Sonson.

171 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Sonson.

172 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Sonson.

173 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Sonson.

174 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Sonson.

175 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Takai.

176 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representative Takai.

177 "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION."

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

179 "A BILL FOR AN ACT RELATING TO BUSINESS ENERGY TAX CREDIT."

Introduced by: Representatives Chang, Karamatsu, Magaoay, Mizuno, Nishimoto, Sonson, Bertram, Evans, Herkes, Shimabukuro, Souki, Takamine, Takumi, Tsuji, Yamane and Yamashita.

180 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT."

Introduced by: Representatives Chang, Bertram, Evans, Hanohano, Herkes, Karamatsu, Magaoay, Mizuno, Nishimoto, Shimabukuro, Takai, Tsuji, Yamane, Yamashita, Sonson, Souki, Takamine and Takumi.

181 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Herkes.

182 "A BILL FOR AN ACT RELATING TO REGULATION OF HOME INSPECTORS."

Introduced by: Representative Herkes.

183 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."

Introduced by: Representative Herkes.

184 "A BILL FOR AN ACT RELATING TO THE UNIFORM DEBT-MANAGEMENT SERVICES ACT."

Introduced by: Representative Herkes.

185 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representatives Herkes and Shimabukuro.

186 "A BILL FOR AN ACT RELATING TO GASOLINE."

Introduced by: Representatives Herkes, Chang, Evans, Green, Hanohano, Tsuji and Takamine.

187 "A BILL FOR AN ACT RELATING TO FEES IN CRIMINAL CASES."

Introduced by: Representative Evans.

188 "A BILL FOR AN ACT RELATING TO LOCKSMITHS."

Introduced by: Representatives Evans and Magaoay.

189 "A BILL FOR AN ACT RELATING TO CRUISE SHIP FEES."

Introduced by: Representative Evans.

190 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Representative Evans.

191 "A BILL FOR AN ACT RELATING TO EMERGENCY COMMUNICATIONS."

Introduced by: Representative Evans.

192 "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY INNOVATION CORPORATION."

Introduced by: Representative Evans.

193 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

194 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

195 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL."

Introduced by: Representative Evans.

196 "A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED."

Introduced by: Representative Evans.

197 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representative Evans.

198 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representative Evans.

199 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

200 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

201 "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME."

Introduced by: Representative Evans.

202 "A BILL FOR AN ACT RELATING TO TELEPSYCHIATRY."

Introduced by: Representative Green.

203 "A BILL FOR AN ACT RELATING TO NEUROTRAUMA."

Introduced by: Representative Green.

204 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Representative Green.

205 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representative Green.

206 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Representative Green.

207 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Green.

208 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Representative Green.

209 "A BILL FOR AN ACT RELATING TO ORAL HEALTH."

Introduced by: Representative Green.

210 "A BILL FOR AN ACT RELATING TO HOME CARE."

Introduced by: Representative Green.

211 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC."

Introduced by: Representative Green.

212 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative Green.

213 "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE."

Introduced by: Representative Green.

214 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS."

Introduced by: Representatives Green, Mizuno, Evans, Hanohano, Herkes and Tsuji.

215 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Green, Chang, Evans, Hanohano, Luke, Mizuno, Nishimoto, Shimabukuro, Takai, Tsuji, Wakai, Belatti, Bertram, Har, Herkes, Magaoay and Souki.

216 "A BILL FOR AN ACT RELATING TO NATUROPATHY."

Introduced by: Representatives Green, Evans, Hanohano, Herkes, Mizuno and Tsuji.

217 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Introduced by: Representatives Green, Hanohano, Herkes, Mizuno and Tsuji.

218 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Green, Hanohano, Herkes and Tsuji.

219 "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Introduced by: Representatives Green, Hanohano, Mizuno and Herkes.

220 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representatives Green, Evans, Mizuno, Hanohano and Herkes.

221 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Green, Mizuno, Hanohano and Herkes.

222 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Green, Hanohano, Mizuno, Nishimoto, Shimabukuro, Takai, Belatti, Bertram and Herkes.

223 "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES."

Introduced by: Representatives Green, Hanohano, Herkes, Mizuno, Takai, Tsuji, Bertram and Souki.

224 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

225 "A BILL FOR AN ACT RELATING TO CIGARETTE TAX."

Introduced by: Representative Green.

226 "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS."

Introduced by: Representatives Green, Mizuno, Thielen, Evans, Hanohano, Herkes, Magaoay, Nishimoto and Tsuji.

227 "A BILL FOR AN ACT RELATING TO HELMET USE BY MINORS."

Introduced by: Representatives Green, Mizuno, Shimabukuro, Belatti, Bertram, Evans, Hanohano and Herkes.

228 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Green, Hanohano and Mizuno.

229 "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE."

Introduced by: Representatives Green, Hanohano, Herkes, Mizuno, Shimabukuro, Takai, Belatti, Bertram and Tsuji.

230 "A BILL FOR AN ACT RELATING TO NATURAL DISASTER PREPAREDNESS IN HEALTH CARE FACILITIES."

Introduced by: Representatives Green, Evans, Hanohano, Herkes, Mizuno and Tsuji.

231 "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE."

Introduced by: Representatives Green, Mizuno, Evans, Hanohano, Herkes and Tsuji.

232 "A BILL FOR AN ACT RELATING TO QUALIFYING MEDICAL INFORMATION TECHNOLOGY."

Introduced by: Representatives Green, Mizuno, Evans, Hanohano, Herkes and Tsuji.

233 "A BILL FOR AN ACT RELATING TO ELDER ABUSE."

Introduced by: Representatives Green, Mizuno, Evans, Hanohano and Herkes.

234 "A BILL FOR AN ACT RELATING TO AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONWIDE POPULAR VOTE."

Introduced by: Representatives Shimabukuro, B. Oshiro, Takai, Waters, Bertram, Hanohano, Har, Magaoay, Rhoads and Tsuji.

235 "A BILL FOR AN ACT RELATING TO ALL TERRAIN-VEHICLES."

Introduced by: Representative Shimabukuro.

236 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

237 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Shimabukuro.

238 "A BILL FOR AN ACT RELATING TO THE SALE OF REAL PROPERTY."

Introduced by: Representatives Shimabukuro, Bertram and Hanohano.

239 "A BILL FOR AN ACT MAKING A MATCHING FUNDS APPROPRIATION TO INCREASE STUDENT ON-CAMPUS AND NEARBY HOUSING."

Introduced by: Representative Shimabukuro.

240 "A BILL FOR AN ACT RELATING TO SMALL BOATING FACILITIES."

Introduced by: Representatives McKelvey, Awana, Carroll, Chang, Evans, Ito, Sagum, Waters, Yamashita, Bertram and Shimabukuro.

241 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives McKelvey, Mizuno, Waters, Awana, Bertram, Carroll, Chang, Evans, Har, Herkes, Ito, Sagum and Souki.

242 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representatives McKelvey, Har, Morita, Thielen, Awana, Bertram, Carroll, Ito, Mizuno, Sagum and Shimabukuro.

243 "A BILL FOR AN ACT RELATING TO TATTOOING."

Introduced by: Representatives McKelvey, Awana, Bertram, Carroll, Mizuno, Shimabukuro, Tokioka, Belatti and Chong.

244 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST MAUI LAND AND PINEAPPLE COMPANY, INC."

Introduced by: Representatives McKelvey, Yamashita, Bertram, Sagum and Souki.

245 "A BILL FOR AN ACT RELATING TO DESIGNATION OF A HAWAII ARCHEOLOGICAL SURVEY."

Introduced by: Representatives Ito, Chong, Karamatsu, Magaoay, Manahan, Mizuno, Yamane, Yamashita and Carroll.

246 "A BILL FOR AN ACT RELATING TO INFORMATION."

Introduced by: Representatives Ito, Chong, McKelvey, Tsuji, Chang, Hanohano, Herkes, Manahan, Yamane and Yamashita.

247 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Ito, Mizuno, Carroll, Chong, Herkes, McKelvey, Tokioka, Tsuji and Yamashita.

248 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representatives Ito, Brower, Chang, Chong, Herkes, Karamatsu, McKelvey and Tsuji.

249 "A BILL FOR AN ACT RELATING TO HUNTING TOURISM."

Introduced by: Representatives Ito, Chang, Chong, McKelvey, Tsuji, Yamashita, Carroll, Herkes, Magaoay, Manahan, Sagum, Tokioka and Yamane.

250 "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION."

Introduced by: Representatives Ito, Chang, Karamatsu, Magaoay, Mizuno, Sagum, Chong, Herkes, Manahan, Yamane and Yamashita.

251 "A BILL FOR AN ACT RELATING TO WATER CONSERVATION."

Introduced by: Representatives Ito, Carroll, Chong, Magaoay, Thielen, Yamane, Yamashita, Chang and Tsuji.

252 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAXES FOR SPECULATIVE SALES."

Introduced by: Representatives Ito, Chong, Carroll, Herkes, Karamatsu, Magaoay, Manahan, Sagum, Yamane and Yamashita.

253 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EROSION CONTROL MEASURES ALONG KAWA STREAM IN KANEOHE, OAHU."

Introduced by: Representatives Ito, Chang, Chong and Magaoay.

254 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Ito, Brower, Evans, Tokioka, Yamane, Chong, Karamatsu, Magaoay, Morita, Souki and Yamashita.

255 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION."

Introduced by: Representatives Ito, Bertram, Chong, Mizuno, Tsuji, Chang, Evans, McKelvey, Shimabukuro and Souki.

256 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Ito, Chong, Chang, Magaoay and Souki.

257 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Ito, Chong, Magaoay, Karamatsu, Manahan, Sagum, Yamane and Yamashita.

258 "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT."

Introduced by: Representatives Ito, Chong, Karamatsu, Magaoay, Yamane, Yamashita and Chang.

259 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives Ito, Karamatsu, Magaoay, Sagum, Brower, Chang, Chong, Herkes, Manahan, Yamane and Yamashita.

260 "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS."

Introduced by: Representatives Ito, Chang, Chong, Karamatsu, Magaoay, Manahan, Sagum, Yamane, Yamashita and Herkes.

261 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Ito, Chang, Chong, Manahan, Yamane, Yamashita, Brower and Herkes.

262 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Ito.

263 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representative Ito.

264 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Representative Ito.

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

Introduced by: Representative Ito.

266 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Representative Ito.

267 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Ito.

268 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representative Ito.

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

Introduced by: Representative Ito.

270 "A BILL FOR AN ACT RELATING TO THE REGULATORY LICENSING REFORM ACT."

Introduced by: Representative Herkes.

271 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Herkes.

272 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES."

Introduced by: Representative Herkes.

273 "A BILL FOR AN ACT RELATING TO ANNUITIES."

Introduced by: Representative Herkes.

274 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Representative Herkes.

275 "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT."

Introduced by: Representative Herkes.

276 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Herkes.

277 "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES."

Introduced by: Representative Souki.

278 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

Introduced by: Representatives Souki and Mizuno.

279 "A BILL FOR AN ACT RELATING TO TOWING."

Introduced by: Representative Takai.

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

Introduced by: Representative Takai.

281 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION."

Introduced by: Representative Takai.

282 "A BILL FOR AN ACT RELATING TO THE ALOHA STADIUM."

Introduced by: Representative Takai.

283 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representative Takai.

284 "A BILL FOR AN ACT ELATING TO HIGHWAY SAFETY."

Introduced by: Representative Takai.

285 "A BILL FOR AN ACT RELATING [*sic*] TO NATURAL DISASTERS."

Introduced by: Representative Takai.

286 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALOHA STADIUM TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Takai.

287 "A BILL FOR AN ACT RELATING TO ATTRACTIONS AND EDUCATIONAL FACILITIES TAX CREDIT."

Introduced by: Representative Takai.

288 "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS."

Introduced by: Representatives Evans and Har.

289 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Evans and Har.

290 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Evans and Har.

291 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY SUPPLY CACHES."

Introduced by: Representatives Evans and Har.

292 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representatives Evans and Har.

293 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Evans and Har.

294 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."

Introduced by: Representatives Evans and Har.

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

Introduced by: Representatives Evans and Har.

296 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Representatives Evans and Har.

297 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PUBLIC EDUCATION CAMPAIGN ON NATURAL DISASTER PREPAREDNESS."

Introduced by: Representatives Evans and Har.

298 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Evans and Har.

299 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representatives Evans and Har.

300 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representatives Evans and Har.

301 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO THE CIVIL AIR PATROL."

Introduced by: Representatives Evans and Har.

302 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Evans and Har.

303 "A BILL FOR AN ACT RELATING TO THEFT."

Introduced by: Representatives B. Oshiro, Wakai and Waters.

304 "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES."

Introduced by: Representatives B. Oshiro, Caldwell, M. Oshiro, Rhoads and Waters.

305 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives B. Oshiro, Caldwell and Sonson.

306 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative Yamashita.

307 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative Yamashita.

308 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Yamashita.

309 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Representative Yamashita.

310 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Representative Yamashita.

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

Introduced by: Representatives Yamashita, Chang, Chong, Karamatsu, Tsuji and Yamane.

312 "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Representatives Yamashita, Karamatsu, Tsuji, Wakai, Caldwell and Chang.

313 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Representatives Yamashita, Chang, Chong, Herkes, Karamatsu, Magaoay, McKelvey, Tsuji, Wakai, Yamane, Caldwell, Nakasone and Say.

314 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Representatives Yamashita, Chang, Chong, Herkes, Karamatsu, Magaoay, McKelvey, Tsuji, Wakai, Yamane, Nakasone and Say.

315 "A BILL FOR AN ACT RELATING TO FUNDING FOR AGRICULTURAL WATER DISTRIBUTION FOR KULA IN UPCOUNTRY MAUI."

Introduced by: Representatives Yamashita, Chang, Tsuji, Brower, Chong, Herkes, Karamatsu, Nakasone, Say and Yamane.

316 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Yamashita, Caldwell, Chong, Karamatsu, Magaoay, Wakai, Yamane, Chang, Herkes, Nakasone, Say and Tsuji.

317 "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS."

Introduced by: Representatives Yamashita, Chong, Magaoay, Tsuji, Wakai, Chang, Herkes, Karamatsu, Nakasone, Say and Yamane.

318 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURES."

Introduced by: Representatives Yamashita, Chang, Herkes, Karamatsu, Magaoay, McKelvey, Tsuji, Wakai, Chong, Nakasone and Say.

319 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Representatives Yamashita, Chong, Herkes, Magaoay, McKelvey, Tsuji, Wakai, Chang, Karamatsu, Nakasone and Say.

320 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Rhoads.

321 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Representative Rhoads.

322 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX."

Introduced by: Representative Rhoads.

323 "A BILL FOR AN ACT RELATING TO AUTOMOBILE THEFT."

Introduced by: Representatives Rhoads, Brower, Manahan and Belatti.

324 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SALARY INCREASE FOR TEACHERS."

Introduced by: Representatives Rhoads and Waters.

325 "A BILL FOR AN ACT RELATING TO DENTAL CARE."

Introduced by: Representative Rhoads.

326 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representative Rhoads.

327 "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE."

Introduced by: Representative Rhoads.

328 "A BILL FOR AN ACT RELATING TO SIDEWALKS."

Introduced by: Representative Rhoads.

329 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Rhoads.

330 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Representatives Rhoads and Brower.

331 "A BILL FOR AN ACT RELATING TO NOISE ABATEMENT."

Introduced by: Representatives Rhoads, Bertram and Brower.

332 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Rhoads, Brower, Lee, Mizuno, Belatti and Bertram.

333 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Rhoads and Manahan.

334 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY."

Introduced by: Representatives Karamatsu, Carroll, Chong, Har, Ito, Lee, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, Tsuji, Yamashita, Bertram, Brower, Chang, Evans, Green, Herkes, Magaoay, McKelvey, Nakasone, Sagum, Shimabukuro, Sonson, Souki, Takamine, Wakai, Waters and Yamane.

335 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Karamatsu, Brower, Chang, Evans, Har, Ito, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, Shimabukuro, Tsuji, Yamane, Bertram, Lee, Sonson, Takamine and Yamashita.

336 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATE-OWNED AIRCRAFT."

Introduced by: Representatives Karamatsu, Bertram, Green, Ito, Mizuno, B. Oshiro, Sagum, Sonson, Souki and Takamine.

337 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Karamatsu, Har, Ito, Lee, Magaoay, Manahan, Mizuno, B. Oshiro, Sonson, Tsuji, Bertram, Brower, Carroll, Chang, Chong, Evans, Green, Herkes, McKelvey, Nakasone, Sagum, Shimabukuro, Souki, Takamine, Wakai, Waters, Yamane and Yamashita.

338 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representatives Karamatsu, Brower, Ito, Tsuji, Yamane, Yamashita, Bertram and Nishimoto.

339 "A BILL FOR AN ACT RELATING TO SEXUAL VIOLENCE PREVENTION EDUCATION."

Introduced by: Representatives Karamatsu, Carroll, Lee, McKelvey, Mizuno, Tsuji, Yamane, Bertram, Brower, Chang, Chong, Green, Har, Herkes, Ito, Magaoay, Manahan, Nakasone, Nishimoto, B. Oshiro, Sagum, Shimabukuro, Takamine, Waters and Yamashita.

340 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representatives Karamatsu, Ito, Lee, Manahan, McKelvey, Shimabukuro, Bertram, Carroll, Chang, Chong, Evans, Green, Herkes, Magaoay, Mizuno, B. Oshiro, Sagum, Sonson, Takamine, Waters, Yamane and Yamashita.

341 "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES."

Introduced by: Representatives Karamatsu, Ito, Shimabukuro, Tsuji, Yamane, Yamashita, Bertram, Brower and Nishimoto.

342 "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE."

Introduced by: Representatives Karamatsu, Brower, Ito, Waters, Yamashita, Bertram and Souki.

343 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Karamatsu, Brower, Har, Luke, McKelvey, B. Oshiro, Tsuji, Bertram, Carroll, Chang, Chong, Green, Herkes, Ito, Lee, Manahan, Mizuno, Nishimoto, Sagum, Shimabukuro, Sonson, Souki, Takamine, Takumi, Wakai, Yamane and Yamashita.

344 "A BILL FOR AN ACT RELATING TO CONTRACTS."

Introduced by: Representatives Karamatsu, B. Oshiro, Sonson, Bertram, Brower, Chang, Chong, Evans, Green, Herkes, Lee, Magaoay, McKelvey, Mizuno, Sagum, Shimabukuro, Takamine, Tsuji, Wakai, Yamane and Yamashita.

345 "A BILL FOR AN ACT RELATING TO HOLIDAYS."

Introduced by: Representatives Karamatsu, Bertram, Chang, Tsuji, Yamane, Yamashita, Ito, Nishimoto, Souki and Takumi.

346 "A BILL FOR AN ACT RELATING TO HOLIDAYS."

Introduced by: Representatives Karamatsu, Manahan, Mizuno, B. Oshiro, Shimabukuro, Bertram, Chang, Ito, Magaoay, Nishimoto, Sonson, Takamine, Tsuji, Yamane and Yamashita.

347 "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING."

Introduced by: Representatives Karamatsu, Brower, Chang, Ito, Yamashita and Bertram.

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

Introduced by: Representatives Karamatsu, Brower, Chang, Ito, Bertram and Yamashita.

349 "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS."

Introduced by: Representatives Souki, and Yamashita.

350 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Representatives Souki, Cabanilla, Chang, Herkes, Sonson and Sagum.

351 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Souki, Caldwell, Nishimoto, Waters, Har and Nakasone.

352 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Souki, Evans, Nishimoto and Nakasone.

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

Introduced by: Representatives Souki, Nishimoto, Mizuno and Nakasone.

354 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representatives Souki, Caldwell, Nishimoto, Takumi, Carroll and Har.

355 "A BILL FOR AN ACT RELATING TO CAREGIVERS."

Introduced by: Representatives Lee, Green, Manahan, Mizuno, Morita, Ward and Yamane.

356 "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT."

Introduced by: Representatives Lee, Luke, Mizuno, Morita, Rhoads, Takai, Thielen and Wakai.

357 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representatives Lee, Evans, Hanohano, Luke, Mizuno, Morita, Rhoads, Takai, Thielen, Belatti, Chang, Green, Sonson, Souki, Wakai and Yamane.

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

Introduced by: Representatives Lee, Mizuno, Morita and Yamane.

359 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Lee, Cabanilla, Chang, Green, Herkes, Mizuno, Morita, Takai, Yamane, Caldwell and Rhoads.

360 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representatives Lee, Cabanilla, Green, Mizuno, Morita and Souki.

361 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MILILANI MIDDLE SCHOOL."

Introduced by: Representatives Lee and Yamane.

362 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENTS."

Introduced by: Representatives Lee, Cabanilla, Morita, Ito, Souki and Yamane.

363 "A BILL FOR AN ACT RELATING TO RELOCATION SERVICES."

Introduced by: Representatives Lee, Marumoto, Morita, Evans, Har, Herkes, Mizuno, Rhoads and Wakai.

364 "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH."

Introduced by: Representatives Lee, Caldwell, Green, Har, Herkes, Morita, Takai, Thielen, Mizuno and Wakai.

365 "A BILL FOR AN ACT RELATING TO SCRAP DEALERS."

Introduced by: Representatives Lee, Chang, Yamane, Hanohano, Har and Rhoads.

366 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO CRIMINAL HISTORY."

Introduced by: Representatives Lee, Herkes, Karamatsu, Morita and Yamane.

367 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Representatives Lee, Luke, Mizuno, Morita, Takai, Thielen, Yamane, Green, Rhoads and Wakai.

368 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Lee, Cabanilla, Hanohano, Takai, Wakai, Luke and Nishimoto.

369 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Lee, Green, Takai, Har, Herkes, Rhoads and Wakai.

370 "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING."

Introduced by: Representatives Lee, Takai, Herkes, Nishimoto, Rhoads and Wakai.

371 "A BILL FOR AN ACT RELATING TO PRESIDENTIAL ELECTIONS."

Introduced by: Representative Waters.

372 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ENGINEERING SCHOLARSHIP PROGRAM."

Introduced by: Representative Waters.

373 "A BILL FOR AN ACT RELATING TO SCRAP DEALERS."

Introduced by: Representative Waters.

374 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TREATMENT."

Introduced by: Representative Waters.

375 "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY."

Introduced by: Representative Waters.

376 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Waters.

377 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Representative Waters.

378 "A BILL FOR AN ACT RELATING TO NURSING EDUCATION."

Introduced by: Representative Waters.

379 "A BILL FOR AN ACT RELATING TO WITNESSES."

Introduced by: Representative Waters.

380 "A BILL FOR AN ACT RELATING TO CIVIL PARTICIPATION IN GOVERNMENT."

Introduced by: Representative Waters.

381 "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES."

Introduced by: Representative Waters.

382 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representative Waters.

383 "A BILL FOR AN ACT RELATING TO ABUSE OF A FAMILY OR HOUSEHOLD MEMBER."

Introduced by: Representative Waters.

384 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representative Waters.

385 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representatives Hanohano and Shimabukuro.

386 "A BILL FOR AN ACT RELATING TO COMMUNITY PLACEMENT."

Introduced by: Representatives Hanohano and Shimabukuro.

387 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Representative M. Oshiro.

388 "A BILL FOR AN ACT RELATING TO EMPLOYEES."

Introduced by: Representative M. Oshiro.

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

Introduced by: Representatives M. Oshiro, Carroll, Chang, Lee, Magaoay, Mizuno, Nishimoto, Tokioka, Ward, Brower, Chong, Hanohano, Har, Karamatsu, Rhoads, Sagum, Yamane and Yamashita.

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

Introduced by: Representatives M. Oshiro, Carroll, Chang, Hanohano, Lee, Magaoay, Manahan, Mizuno, Nishimoto, Sagum, Tokioka, Ward, Yamane, Brower, Chong, Har, Karamatsu, Rhoads, Souki and Yamashita.

391 "A BILL FOR AN ACT RELATING TO LEGISLATIVE INQUIRIES."

Introduced by: Representatives M. Oshiro, Carroll, Chang, Chong, Magaoay, Manahan, Mizuno, Nishimoto, Sagum, Tokioka, Yamane, Ward, Brower, Hanohano, Har, Karamatsu, Rhoads, Souki and Yamashita.

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

Introduced by: Representatives M. Oshiro, Chang, Chong, Hanohano, Karamatsu, Magaoay, Manahan, Mizuno, Nishimoto, Tokioka, Yamashita, Ward, Carroll, Har, Rhoads, Sagum, Souki and Yamane.

393 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives M. Oshiro, Carroll, Chang, Chong, Hanohano, Karamatsu, Lee, Magaoay, Manahan, Mizuno, Nishimoto, Sagum, Tokioka, Yamane, Yamashita, Brower, Rhoads and Souki.

394 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representatives M. Oshiro, Carroll, Chang, Chong, Karamatsu, Lee, Manahan, Mizuno, Nishimoto, Tokioka, Yamane, Yamashita, Ward, Brower, Hanohano, Har and Sagum.

395 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Chang, Manahan, Yamane, Hanohano, Herkes, Takamine, Wakai and Yamashita.

396 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Tsuji, Brower, Hanohano, Manahan, Chang, Herkes, Takamine, Yamane and Yamashita.

397 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Tsuji, Brower, Hanohano, Manahan, Yamane, Chang, Herkes, Takamine and Yamashita.

398 "A BILL FOR AN ACT RELATING TO MAKING APPROPRIATIONS FOR IRRIGATION SYSTEMS."

Introduced by: Representatives Tsuji, Brower, Hanohano, Manahan, Yamane, Yamashita, Chang and Wakai.

399 "A BILL FOR AN ACT RELATING TO AGRICULTURE"

Introduced by: Representatives Tsuji, Brower, Manahan, Yamane, Chang, Hanohano, Herkes, Takamine, Wakai and Yamashita.

400 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Chang, Hanohano, Manahan, Yamane, Yamashita, Herkes, Takamine and Wakai.

401 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY."

Introduced by: Representatives Tsuji, Brower, Chang, Manahan, Yamashita, Hanohano, Herkes, Takamine, Wakai and Yamane.

402 "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND."

Introduced by: Representatives Tsuji, Brower, Hanohano, Manahan, Chang, Herkes, Takamine, Wakai, Yamane and Yamashita.

403 "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM."

Introduced by: Representatives Tsuji, Brower, Chang, Hanohano, Manahan, Yamane, Yamashita, Herkes, Takamine and Wakai.

404 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Chang, Hanohano, Manahan, Yamane, Herkes, Takamine and Yamashita.

405 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Chang, Hanohano, Manahan, Wakai, Yamane, Yamashita, Herkes and Takamine.

406 "A BILL FOR AN ACT RELATING TO IRRIGATION."

Introduced by: Representatives Tsuji, Brower, Manahan, Yamane, Yamashita, Chang, Hanohano, Herkes, Takamine and Wakai.

407 "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER."

Introduced by: Representatives Tsuji, Brower, Chang, Manahan, Yamane, Yamashita, Hanohano, Herkes, Takamine and Wakai.

408 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Hanohano, Manahan, Takamine and Yamashita.

409 "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHO'OLAWE."

Introduced by: Representatives Carroll, Chang, McKelvey, Nishimoto, Bertram, Herkes, Sonson and Wakai.

410 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE FOR THE HAIKU REGION OF MAUI."

Introduced by: Representatives Carroll, Bertram, McKelvey, Chang, Herkes, Nishimoto, Sonson, Takumi and Wakai.

411 "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHO`OLAWE."

Introduced by: Representatives Carroll, McKelvey, Nishimoto, Bertram, Chang, Herkes, Sonson and Wakai.

412 "A BILL FOR AN ACT RELATING TO THE HAIKU DISTRICT OF THE COUNTY OF MAUI."

Introduced by: Representatives Carroll, Bertram, McKelvey, Chang, Herkes, Nishimoto, Sonson and Wakai.

413 "A BILL FOR AN ACT RELATING TO THE HANA DISTRICT IN THE COUNTY OF MAUI."

Introduced by: Representatives Carroll, Bertram, McKelvey, Chang, Herkes, Nishimoto, Sonson and Wakai.

414 "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION."

Introduced by: Representatives Takai and Takumi.

415 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Nishimoto.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 6 and 7) and concurrent resolutions (H.C.R Nos. 4 through 6) were referred to Printing and further action was deferred:

H.R. No. 6, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO MONITOR THE COLLECTION OF CRIME VICTIM COMPENSATION FEES," was jointly offered by Representatives Lee, Evans, Manahan, Marumoto, McKelvey, Mizuno, Shimabukuro, Har, Herkes, Morita, Rhoads, Sonson and Souki.

H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF AGRICULTURE TO CHANGE THE NAME OF THE KAILUA RESERVOIR TO THE WAIMANALO RESERVOIR," was offered by Representative Waters, by request.

H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A STUDY TO DETERMINE WHETHER LOCKSMITHS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was jointly offered by Representatives Evans, Herkes and Magaoay.

H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO MONITOR THE COLLECTION OF CRIME VICTIM COMPENSATION FEES," was jointly offered by Representatives Lee, Evans, Finnegan, Manahan, Marumoto, McKelvey, Mizuno, Shimabukuro, Har, Herkes, Morita, Rhoads, Sonson and Souki.

H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF AGRICULTURE TO CHANGE THE NAME OF THE KAILUA RESERVOIR TO THE WAIMANALO RESERVOIR," was offered by Representative Waters, by request.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, I would like to announce a Majority Caucus meeting, brief meeting in the Caucus room after session. Thank you."

Representative Herkes: "Thank you, Mr. Speaker. The House Committee on Consumer Protection and Commerce will be holding an informational briefing with the Department of Consumer Affairs on Monday at 3:00 p.m. in Room 325."

Representative Thielen: "Thank you. Mr. Speaker, I would just like to remind Members and their staff and everyone in the building that Al Gore's *An Inconvenient Truth* will be shown starting at 1:00 today in the Capitol auditorium. If you haven't seen it, please go. If your staff hasn't seen it, please send them, and everyone is welcome. Opening remarks will be made by Jeff Mikulina of the Sierra Club, who has been trained by Al Gore in relation to this film. Thank you."

Representative Mizuno: "Thank you, Mr. Speaker. I just want to remind everyone the Kapuna Caucus bills are available for signing in Room 436. In addition, if you did not have a chance to sign the Keiki Caucus bills, they are also available in Room 436. These packages will be filed today, so today is your last day."

Representative Chang: "Mr. Speaker and Members. We have some students from University of Hawaii Hilo. They belong to the Association of Students of the University of Hawaii at Hilo. Will you give them a hand? Please stand.

"Also, Mr. Speaker, I want to remind our Members to visit the third and fourth floor for University Day and we can experience the wide effect of our University System on our whole economy in our people's lives. Thank you."

LATE INTRODUCTIONS

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

Representative Caldwell introduced Senator Brian Taniguchi and his son, Danny Taniguchi and other members of the ASUH.

Representative Takai, on behalf of Representative Chang and himself introduced members of the University of Hawaii at Manoa Campus Center Board and their advisors.

Representative Magaoay introduced former University of Hawaii baseball coach, Carl Furutani of Waimea.

ANNOUNCEMENT

Speaker Say announced that the deadline for filing bills with the Clerk's Office would be 9:00 p.m. this evening, and that there would be a limit of five bills per day from Monday through Wednesday. This would allow for the referrals to committee to begin over the weekend as part of the overall legislative process.

ADJOURNMENT

At 12:15 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 9:00 o'clock a.m., Monday, January 22, 2007. (Representatives McKelvey and Takamine were excused.)

FOURTH DAY

Monday, January 22, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:00 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Master Charles Ostendorp of Kawaiaha'o School, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Carroll, Herkes, McKelvey, Takai and Takamine, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 214 through 216) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 214, dated January 12, 2007, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 215, dated January 16, 2007, transmitting the Report from the Department of Transportation on Senate Concurrent Resolution No. 48, Session Laws of Hawaii 2006.

Gov. Msg. No. 216, dated January 16, 2007, transmitting the Report from the Department of Transportation on House Concurrent Resolution No. 53 and Senate Concurrent Resolution No. 47, Session Laws of Hawaii 2006.

INTRODUCTION

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

Representative B. Oshiro introduced Master Charles Ostendorp, 3rd grade student at Kawaiaha'o Church School who gave today's invocation. He was accompanied by his parents, Leigh and Michael Ostendorp, and school administrator, Ms. Wailani Robins.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
3	Committee on Public Safety & Military Affairs, then to the Committee on Finance
4	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
5	Committee on Public Safety & Military Affairs, then to the Committee on Finance
6	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
7	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
8	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
9	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
10	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
11	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
12	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
13	Committee on Education, then to the Committee on Finance
14	Committee on Education, then to the Committee on Finance
15	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
16	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance
17	Committee on Education, then to the Committee on Finance
18	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary
19	Committee on Education, then to the Committee on Finance
20	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
21	Committee on Education
22	Committee on Education, then to the Committee on Finance
23	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

24 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

25 Committee on Education, then to the Committee on Labor & Public Employment

26 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

27 Committee on Finance

28 Committee on Human Services & Housing, then to the Committee on Finance

29 Committee on Labor & Public Employment, then to the Committee on Finance

30 Jointly to the Committee on International Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

31 Jointly to the Committee on International Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

32 Jointly to the Committee on Economic Development & Business Concerns and the Committee on International Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

33 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

34 Committee on Labor & Public Employment, then to the Committee on International Affairs, then to the Committee on Finance

35 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

36 Committee on Judiciary, then to the Committee on Finance

37 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

38 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

39 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

40 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

41 Committee on Energy & Environmental Protection, then to the Committee on Human Services & Housing, then to the Committee on Finance

42 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

43 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

44 Committee on Health, then to the Committee on Education, then to the Committee on Finance

45 Committee on Judiciary

46 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

47 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Education, then to the Committee on Finance

48 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

49 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

50 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

51 Committee on Finance

52 Committee on Labor & Public Employment, then to the Committee on Finance

53 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

54 Committee on Economic Development & Business Concerns, then to the Committee on Health, then to the Committee on Consumer Protection & Commerce

55 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

56 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

57 Committee on Transportation, then to the Committee on Judiciary

58 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

59 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

60 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance

61 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance

62 Committee on Transportation, then to the Committee on Finance

63 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

64 Committee on Transportation, then to the Committee on Finance

65 Committee on Consumer Protection & Commerce

66 Committee on Consumer Protection & Commerce, then to the Committee on Finance

67 Committee on Consumer Protection & Commerce

68 Committee on Consumer Protection & Commerce

69 Committee on Labor & Public Employment, then to the Committee on Finance

70 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

71 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

72 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

73 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

74 Committee on Consumer Protection & Commerce, then to the Committee on Public Safety & Military Affairs

75 Committee on Consumer Protection & Commerce, then to the Committee on Finance

76 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

77 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

78 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

79 Committee on Finance

80 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

81 Committee on Judiciary

82 Committee on Judiciary

83 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

84 Committee on Judiciary

85 Committee on Judiciary

86 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

87 Committee on Consumer Protection & Commerce

88 Committee on Consumer Protection & Commerce, then to the Committee on Finance

89 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

90 Committee on Consumer Protection & Commerce, then to the Committee on Finance

91 Committee on Consumer Protection & Commerce

92 Committee on Consumer Protection & Commerce, then to the Committee on Finance

93 Committee on Consumer Protection & Commerce, then to the Committee on Finance

94 Committee on Consumer Protection & Commerce

95 Committee on Consumer Protection & Commerce

96 Committee on Consumer Protection & Commerce

97 Committee on Consumer Protection & Commerce

98 Committee on Consumer Protection & Commerce

99 Committee on Human Services & Housing, then to the Committee on Finance

100 Committee on Human Services & Housing, then to the Committee on Finance

101 Committee on Human Services & Housing, then to the Committee on Finance

102 Committee on Human Services & Housing, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

103 Committee on Human Services & Housing, then to the Committee on Finance

104 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

105 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

106 Committee on Labor & Public Employment, then to the Committee on Finance

107 Committee on Consumer Protection & Commerce, then to the Committee on Finance

108 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

109 Committee on Human Services & Housing

110 Committee on Human Services & Housing

111 Committee on Human Services & Housing

112 Committee on Human Services & Housing

113 Committee on Human Services & Housing

114 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

115 Committee on Public Safety & Military Affairs

116 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

117 Committee on Energy & Environmental Protection, then to the Committee on Finance

118 Committee on Finance

119 Committee on Agriculture, then to the Committee on Finance

120 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

121 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

122 Committee on Finance

123 Committee on Finance

124 Committee on Judiciary, then to the Committee on Finance

125 Committee on Consumer Protection & Commerce

126 Committee on Finance

127 Committee on Health, then to the Committee on Judiciary

128 Committee on Judiciary

129 Committee on Judiciary

130 Committee on Finance

131 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

132 Committee on Education

133 Committee on Transportation, then to the Committee on Finance

134 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

135 Committee on Higher Education

136 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

137 Committee on Higher Education

138 Committee on Higher Education

139 Committee on Higher Education

140 Committee on Higher Education

141 Committee on Higher Education

142 Committee on Transportation

143 Committee on Judiciary, then to the Committee on Finance

144 Committee on Transportation

145 Committee on Public Safety & Military Affairs, then to the Committee on Finance

146 Committee on Education, then to the Committee on Finance

147 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

148 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

149 Committee on Public Safety & Military Affairs, then to the Committee on Finance

150 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

151 Committee on Education, then to the Committee on Finance

152 Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

153 Committee on Health, then to the Committee on Finance

154 Committee on Transportation, then to the Committee on Judiciary

155 Committee on Transportation, then to the Committee on Finance

156 Committee on Transportation, then to the Committee on Judiciary

157 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

158 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

159 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

160 Committee on Transportation, then to the Committee on Judiciary

161 Committee on Finance

162 Committee on Finance

163 Committee on Finance

164 Committee on Finance

165 Committee on Finance

166 Committee on Finance

167 Committee on Finance

168 Committee on Finance

169 Committee on Finance

170 Committee on Labor & Public Employment

171 Committee on Labor & Public Employment

172 Committee on Labor & Public Employment

173 Committee on Labor & Public Employment

174 Committee on Labor & Public Employment

175 Committee on Health, then to the Committee on Finance

176 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

177 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

178 Committee on Education, then to the Committee on Public Safety & Military Affairs

179 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

180 Jointly to the Committee on Higher Education and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

181 Committee on Consumer Protection & Commerce

182 Committee on Consumer Protection & Commerce, then to the Committee on Finance

183 Committee on Consumer Protection & Commerce

184 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

185 Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

186 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

187 Committee on Judiciary, then to the Committee on Finance

188 Committee on Consumer Protection & Commerce

189 Committee on Tourism & Culture, then jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

190 Committee on Judiciary

191 Committee on Public Safety & Military Affairs

192 Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

193 Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection

194 Committee on Higher Education, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection, then to the Committee on Finance

195 Committee on Public Safety & Military Affairs, then to the Committee on Finance

196 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

197 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

198 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

199 Committee on Economic Development & Business Concerns, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

200 Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

201 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

202 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

203 Committee on Human Services & Housing, then to the Committee on Health, then to the Committee on Finance

204 Committee on Health, then to the Committee on Finance

205 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

206 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

207 Committee on Transportation, then to the Committee on Health, then to the Committee on Finance

208 Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

209 Committee on Health, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

210 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

211 Committee on Health, then to the Committee on Finance

212 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

213 Committee on Transportation, then to the Committee on Health, then to the Committee on Finance

214 Committee on Health, then to the Committee on Consumer Protection & Commerce

215 Committee on Public Safety & Military Affairs, then to the Committee on Finance

216 Committee on Health, then to the Committee on Consumer Protection & Commerce

217 Committee on Health, then to the Committee on Finance

218 Committee on Finance

219 Committee on Health, then to the Committee on Finance

220 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

221 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

222 Committee on Health, then to the Committee on Finance

223 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

224 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

225 Committee on Health, then to the Committee on Finance

226 Committee on Energy & Environmental Protection, then to the Committee on Finance

227 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

228 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

229 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

230 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

231 Committee on Transportation, then to the Committee on Health, then to the Committee on Finance

232 Committee on Health, then to the Committee on Finance

233 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary

234 Committee on Judiciary

235 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

236 Committee on Human Services & Housing, then to the Committee on Finance

237 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

238 Committee on Finance

239 Committee on Higher Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

240 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

241 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

242 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

243 Jointly to the Committee on Health and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

244 Committee on Agriculture, then to the Committee on Finance

245 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

246 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

247 Committee on Labor & Public Employment, then to the Committee on Finance

248 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

249 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture, then to the Committee on Finance

250 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Finance

251 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

252 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

253 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

254 Committee on Finance

255 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

256 Committee on Transportation, then to the Committee on Finance

257 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

258 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

259 Committee on Finance

260 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

261 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

262 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

263 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

264 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

265 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

266 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

267 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

268 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

269 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

270 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance

271 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

272 Committee on Consumer Protection & Commerce

273 Committee on Consumer Protection & Commerce, then to the Committee on Finance

274 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture, then to the Committee on Finance

275 Committee on Higher Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

276 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

277 Committee on Transportation, then to the Committee on Finance

278 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

279 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

280 Committee on Higher Education, then to the Committee on Finance

281 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

282 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

283 Committee on Education, then to the Committee on Finance

284 Committee on Transportation, then to the Committee on Judiciary

285 Committee on Consumer Protection & Commerce, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

286 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

287 Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

288 Committee on Public Safety & Military Affairs, then to the Committee on Finance

289 Committee on Public Safety & Military Affairs, then to the Committee on Finance

290 Committee on Public Safety & Military Affairs, then to the Committee on Finance

291 Committee on Public Safety & Military Affairs, then to the Committee on Finance

292 Committee on Public Safety & Military Affairs, then to the Committee on Finance

293 Committee on Public Safety & Military Affairs, then to the Committee on Finance

294 Committee on Public Safety & Military Affairs, then to the Committee on Finance

295 Committee on Public Safety & Military Affairs, then to the Committee on Finance

296 Committee on Public Safety & Military Affairs, then to the Committee on Finance

297 Committee on Public Safety & Military Affairs, then to the Committee on Finance

298 Committee on Public Safety & Military Affairs, then to the Committee on Finance

299 Committee on Judiciary

300 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary

301 Committee on Public Safety & Military Affairs, then to the Committee on Finance

302 Committee on Public Safety & Military Affairs, then to the Committee on Finance

303 Committee on Judiciary

304 Committee on Judiciary

305 Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

306 Committee on Economic Development & Business Concerns

307 Committee on Economic Development & Business Concerns

308 Committee on Economic Development & Business Concerns

309 Committee on Economic Development & Business Concerns

310 Committee on Economic Development & Business Concerns

311 Committee on Education, then to the Committee on Finance

312 Committee on Economic Development & Business Concerns, then to the Committee on Finance

313 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

314 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

315 Committee on Agriculture, then to the Committee on Finance

316 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns

317 Committee on Economic Development & Business Concerns, then to the Committee on Finance

318 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

319 Committee on Judiciary

320 Committee on Human Services & Housing, then to the Committee on Finance

321 Committee on Public Safety & Military Affairs, then to the Committee on Finance

322 Committee on Human Services & Housing, then to the Committee on Finance

323 Committee on Judiciary, then to the Committee on Finance

324 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

325 Committee on Human Services & Housing, then to the Committee on Finance

326 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

327 Committee on Human Services & Housing, then to the Committee on Finance

328 Committee on Transportation, then to the Committee on Judiciary

329 Committee on Human Services & Housing, then to the Committee on Finance

330 Committee on Judiciary

331 Committee on Health, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

332 Committee on Transportation, then to the Committee on Judiciary

333 Committee on Transportation, then to the Committee on Finance

334 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection, then to the Committee on Finance

335 Committee on Energy & Environmental Protection, then to the Committee on Finance

336 Committee on Transportation, then to the Committee on Finance

337 Committee on Agriculture, then to the Committee on Finance

338 Committee on Economic Development & Business Concerns, then to the Committee on Finance

339 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

340 Committee on Judiciary

341 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Health, then to the Committee on Finance

342 Committee on Judiciary

343 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Finance

344 Committee on Economic Development & Business Concerns, then to the Committee on Finance

345 Committee on Tourism & Culture

346 Committee on Tourism & Culture, then to the Committee on Finance

347 Committee on Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

348 Committee on Higher Education, then to the Committee on Finance

349 Committee on Transportation, then to the Committee on Tourism & Culture

350 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

351 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

352 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

353 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

354 Committee on Judiciary

355 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

356 Committee on Transportation, then to the Committee on Judiciary

357 Committee on Transportation, then to the Committee on Finance

358 Committee on Consumer Protection & Commerce

359 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance

360 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

361 Committee on Education, then to the Committee on Finance

362 Committee on Transportation, then to the Committee on Judiciary

363 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

364 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance

365 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

366 Committee on Judiciary

367 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Finance

368 Committee on Health, then to the Committee on Judiciary

369 Committee on Health, then to the Committee on Judiciary

370 Committee on Health, then to the Committee on Consumer Protection & Commerce

371 Committee on Judiciary

372 Committee on Transportation, then to the Committee on Higher Education, then to the Committee on Finance

373 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

374 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

375 Committee on Transportation, then to the Committee on Judiciary

376 Committee on Judiciary

377 Committee on Judiciary

378 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

379 Committee on Judiciary

380 Committee on Judiciary

381 Committee on Legislative Management, then to the Committee on Judiciary

382 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

383 Committee on Judiciary

384 Committee on Energy & Environmental Protection, then to the Committee on Finance

385 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

386 Jointly to the Committee on Health and the Committee on Human Services & Housing

387 Committee on Finance

388 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns

389 Committee on Judiciary

390 Committee on Education, then to the Committee on Finance

391 Jointly to the Committee on Labor & Public Employment and the Committee on Legislative Management, then to the Committee on Finance

392 Committee on Judiciary

393 Committee on Labor & Public Employment, then to the Committee on Finance

394 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

395 Committee on Agriculture, then to the Committee on Energy & Environmental Protection

396 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

397 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

398 Committee on Agriculture, then to the Committee on Finance

399 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

400 Committee on Agriculture, then to the Committee on Finance

401 Committee on Agriculture, then to the Committee on Finance

402 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

403 Committee on Agriculture, then to the Committee on Finance

404 Committee on Agriculture, then to the Committee on Finance

405 Committee on Agriculture, then to the Committee on Finance

406 Committee on Agriculture, then to the Committee on Finance

407 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

408 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

409 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance

410 Committee on Health, then to the Committee on Finance

411 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

412 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

413 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

414 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

415 Committee on Energy & Environmental Protection, then to the Committee on Finance

416 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

417 Committee on Transportation, then to the Committee on Judiciary

418 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

419 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

420 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

421 Committee on Finance

422 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

423 Committee on Consumer Protection & Commerce

424 Committee on Public Safety & Military Affairs, then to the Committee on Finance

425 Committee on Consumer Protection & Commerce

426 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

427 Committee on Finance

428 Committee on Higher Education, then to the Committee on Finance

429 Committee on Education, then to the Committee on Finance

430 Committee on Consumer Protection & Commerce, then to the Committee on Finance

431 Committee on Consumer Protection & Commerce, then to the Committee on Labor & Public Employment, then to the Committee on Finance

432 Committee on Public Safety & Military Affairs, then to the Committee on Finance

433 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

434 Jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

435 Committee on Transportation, then to the Committee on Judiciary

436 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

437 Committee on Labor & Public Employment, then to the Committee on Finance

438 Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

439 Committee on Finance

440 Committee on Finance

441 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

442 Committee on Judiciary

443 Committee on Transportation, then to the Committee on Judiciary

444 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

445 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Health, then to the Committee on Finance

446 Committee on Education, then to the Committee on Finance

447 Committee on Judiciary, then to the Committee on Finance

448 Committee on Education, then to the Committee on Judiciary

449 Committee on Consumer Protection & Commerce

450 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

451 Committee on Judiciary

452 Committee on Judiciary

453 Committee on Human Services & Housing, then to the Committee on Finance

454 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

455 Committee on Health, then to the Committee on Finance

456 Committee on Human Services & Housing, then to the Committee on Finance

457 Committee on Public Safety & Military Affairs, then to the Committee on Finance

458 Committee on Judiciary, then to the Committee on Finance

459 Committee on Health, then to the Committee on Finance

460 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

461 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

462 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

463 Jointly to the Committee on Labor & Public Employment and the Committee on Human Services & Housing, then to the Committee on Finance

464 Committee on Health, then to the Committee on Judiciary

465 Committee on Health, then to the Committee on Finance

466 Committee on Health, then to the Committee on Judiciary

467 Committee on Public Safety & Military Affairs, then to the Committee on Finance

468 Committee on Human Services & Housing, then to the Committee on Finance

469 Committee on Human Services & Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

470 Committee on Finance

471 Committee on Human Services & Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

472 Committee on Human Services & Housing, then to the Committee on Finance

473 Committee on Human Services & Housing, then to the Committee on Finance

474 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

475 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

476 Committee on Economic Development & Business Concerns, then to the Committee on Finance

477 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

478 Committee on Higher Education, then to the Committee on Finance

479 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

480 Committee on Judiciary

481 Committee on Transportation, then to the Committee on Finance

482 Committee on Transportation, then to the Committee on Public Safety & Military Affairs

483 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

484 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

485 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Economic Development & Business Concerns

486 Committee on Human Services & Housing, then to the Committee on Finance

487 Committee on Human Services & Housing

488 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Health, then to the Committee on Finance

489 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

490 Committee on Transportation, then to the Committee on Finance

491 Jointly to the Committee on Labor & Public Employment and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

492 Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance

493 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

494 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

495 Committee on Energy & Environmental Protection, then to the Committee on Finance

496 Committee on Transportation, then to the Committee on Finance

497 Committee on Transportation, then to the Committee on Finance

498 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

499 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

500 Committee on Finance

501 Committee on Finance

502 Committee on Finance

503 Committee on Labor & Public Employment, then to the Committee on Finance

504 Committee on Education, then to the Committee on Finance

505 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance

506 Committee on Energy & Environmental Protection, then to the Committee on Finance

507 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

508 Committee on Transportation

509 Committee on Transportation

510 Committee on Transportation

511 Committee on Transportation

512 Committee on Transportation

513 Committee on Finance

514 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

515 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

516 Committee on Judiciary

517 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

518 Committee on Labor & Public Employment, then to the Committee on Finance

519 Committee on Labor & Public Employment, then to the Committee on Finance

520 Committee on Labor & Public Employment, then to the Committee on Finance

521 Committee on Consumer Protection & Commerce, then to the Committee on Finance

522 Committee on Consumer Protection & Commerce

523 Committee on Human Services & Housing, then to the Committee on Judiciary

524 Committee on Human Services & Housing, then to the Committee on Judiciary

525 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

526 Committee on Human Services & Housing, then to the Committee on Finance

527 Committee on Health, then to the Committee on Judiciary

528 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

529 Committee on Public Safety & Military Affairs, then to the Committee on Finance

530 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

531 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Education, then to the Committee on Finance

532 Committee on Education, then to the Committee on Finance

533 Committee on Education

534 Committee on Human Services & Housing, then to the Committee on Transportation, then to the Committee on Finance

535 Committee on Transportation, then to the Committee on Judiciary

536 Committee on Judiciary

537 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

538 Jointly to the Committee on Education and the Committee on Human Services & Housing, then to the Committee on Finance

539 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

540 Committee on International Affairs, then to the Committee on Higher Education, then to the Committee on Finance

541 Committee on Health, then to the Committee on Finance

542 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

543 Committee on Human Services & Housing, then to the Committee on Finance

544 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

545 Committee on Finance

546 Committee on Energy & Environmental Protection, then to the Committee on Finance

547 Committee on Finance

548 Committee on Finance

549 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

550 Committee on Health, then to the Committee on Finance

551 Committee on Human Services & Housing, then to the Committee on Finance

552 Committee on Education, then to the Committee on Finance

553 Committee on Public Safety & Military Affairs, then to the Committee on Finance

554 Committee on Judiciary

555 Committee on Labor & Public Employment, then to the Committee on Finance

556 Committee on Labor & Public Employment, then to the Committee on Finance

557 Committee on Education, then to the Committee on Finance

558 Committee on Labor & Public Employment, then to the Committee on Finance

559 Committee on Human Services & Housing, then to the Committee on Finance

560 Committee on Finance

561 Committee on Human Services & Housing, then to the Committee on Finance

562 Committee on Finance

563 Committee on Public Safety & Military Affairs, then to the Committee on Transportation, then to the Committee on Finance

564 Committee on Education, then to the Committee on Finance

565 Committee on Education, then to the Committee on Judiciary

566 Committee on Public Safety & Military Affairs, then to the Committee on Finance

567 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

568 Committee on Public Safety & Military Affairs, then to the Committee on Finance

569 Committee on Tourism & Culture, then to the Committee on Finance

570 Committee on Tourism & Culture, then to the Committee on Finance

571 Committee on Tourism & Culture, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

572 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

573 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce

574 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

575 Jointly to the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

576 Committee on Tourism & Culture

577 Committee on Tourism & Culture

578 Committee on Tourism & Culture

579 Committee on Tourism & Culture

580 Committee on Tourism & Culture

581 Committee on Education, then to the Committee on Finance

582 Committee on Health, then to the Committee on Finance

583 Committee on Judiciary

584 Committee on Economic Development & Business Concerns, then to the Committee on Finance

585 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

586 Committee on Higher Education, then to the Committee on Finance

587 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

588 Committee on Energy & Environmental Protection, then to the Committee on Finance

589 Committee on Energy & Environmental Protection, then to the Committee on Finance

590 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

591 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

592 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

593 Committee on Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

594 Committee on Education, then to the Committee on Finance

595 Committee on Education, then to the Committee on Finance

596 Committee on Education, then to the Committee on Finance

597 Jointly to the Committee on Education and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

598 Committee on Education, then to the Committee on Finance

599 Jointly to the Committee on Education and the Committee on Human Services & Housing, then to the Committee on Finance

600 Committee on Judiciary, then to the Committee on Finance

601 Committee on Health, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

602 Committee on Education

603 Committee on Education

604 Committee on Education

605 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

606 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

607 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

608 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

609 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

610 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

611 Committee on Judiciary

612 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

613 Committee on Public Safety & Military Affairs

614 Committee on Public Safety & Military Affairs, then to the Committee on Finance

615 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

616 Committee on Public Safety & Military Affairs, then to the Committee on Finance

617 Committee on Public Safety & Military Affairs, then to the Committee on Finance

618 Committee on Public Safety & Military Affairs, then to the Committee on Finance

619 Committee on Public Safety & Military Affairs, then to the Committee on Finance

620 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

621 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

622 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

623 Committee on Consumer Protection & Commerce, then to the Committee on Finance

624 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

625 Committee on Public Safety & Military Affairs, then to the Committee on Finance

626 Committee on Public Safety & Military Affairs, then to the Committee on Finance

627 Committee on Education, then to the Committee on Finance

628 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

629 Committee on Judiciary, then to the Committee on Finance

630 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

631 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

632 Committee on Education, then to the Committee on Finance

633 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

634 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

635 Committee on Public Safety & Military Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance

636 Jointly to the Committee on Energy & Environmental Protection and the Committee on Health, then to the Committee on Finance

637 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

638 Committee on Transportation, then to the Committee on Finance

639 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

640 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

641 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

642 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

643 Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

644 Committee on Energy & Environmental Protection, then to the Committee on Finance

645 Committee on Energy & Environmental Protection, then to the Committee on Finance

646 Committee on Energy & Environmental Protection

647 Committee on Energy & Environmental Protection

648 Committee on Energy & Environmental Protection

649 Committee on Energy & Environmental Protection

650 Committee on Energy & Environmental Protection

651 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

652 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

653 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

654 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

655 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

656 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

657 Committee on Transportation, then to the Committee on Finance

658 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

659 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

660 Committee on Judiciary

661 Committee on Judiciary, then to the Committee on Finance

662 Committee on Tourism & Culture, then to the Committee on Judiciary

663 Committee on Tourism & Culture, then to the Committee on Judiciary

664 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

665 Committee on Health, then to the Committee on Consumer Protection & Commerce

666 Committee on Human Services & Housing, then to the Committee on Finance

667 Committee on Human Services & Housing, then to the Committee on Finance

668 Committee on Human Services & Housing, then to the Committee on Finance

669 Committee on Higher Education, then jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance

670 Committee on Higher Education, then to the Committee on Judiciary

671 Committee on Higher Education, then to the Committee on Finance

672 Committee on Higher Education, then to the Committee on Finance

673 Committee on Higher Education, then to the Committee on Finance

674 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

675 Committee on Judiciary

676 Committee on Judiciary

677 Committee on Health, then to the Committee on Judiciary

678 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

679 Committee on Health, then to the Committee on Finance

680 Committee on Judiciary

681 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

682 Committee on Health, then to the Committee on Judiciary

683 Committee on Judiciary

684 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

685 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

686 Committee on Judiciary, then to the Committee on Finance

687 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

688 Committee on Judiciary, then to the Committee on Finance

689 Committee on Judiciary, then to the Committee on Finance

690 Committee on Human Services & Housing, then to the Committee on Judiciary

691 Committee on Human Services & Housing, then to the Committee on Judiciary

692 Committee on Agriculture

693 Committee on Agriculture

694 Committee on Agriculture

695 Committee on Agriculture

696 Committee on Agriculture

697 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

698 Committee on Public Safety & Military Affairs, then to the Committee on Finance

699 Committee on Judiciary

700 Committee on Education, then to the Committee on Judiciary

701 Committee on Health, then to the Committee on Consumer Protection & Commerce

702 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

703 Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

704 Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

705 Committee on Health, then to the Committee on Finance

706 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

707 Committee on Finance

708 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

709 Committee on Human Services & Housing, then to the Committee on Finance

710 Committee on Human Services & Housing, then to the Committee on Finance

711 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

712 Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce

713 Committee on Energy & Environmental Protection, then to the Committee on Finance

714 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Transportation, then to the Committee on Judiciary

715 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

716 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

717 Committee on Health, then to the Committee on Finance

718 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

719 Committee on Transportation, then to the Committee on Higher Education

720 Committee on Transportation, then to the Committee on Finance

721 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

722 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

723 Committee on Consumer Protection & Commerce

724 Committee on Transportation, then to the Committee on Finance

725 Committee on Energy & Environmental Protection, then to the Committee on Finance

726 Committee on Consumer Protection & Commerce

727 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

728 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

729 Committee on Education

730 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

731 Committee on Health, then to the Committee on Judiciary

732 Committee on Human Services & Housing

733 Committee on Judiciary, then to the Committee on Finance

734 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

735 Committee on Finance

736 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

737 Committee on Energy & Environmental Protection, then to the Committee on Finance

738 Committee on Finance

739 Committee on Transportation, then to the Committee on Judiciary

740 Committee on Public Safety & Military Affairs, then to the Committee on Finance

741 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

742 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

743 Committee on Finance

744 Committee on Finance

745 Committee on Public Safety & Military Affairs, then to the Committee on Finance

746 Committee on Health, then to the Committee on Judiciary

747 Committee on Health, then to the Committee on Judiciary

748 Committee on Transportation, then to the Committee on Judiciary

749 Committee on Transportation, then to the Committee on Judiciary

750 Committee on Legislative Management, then to the Committee on Finance

751 Committee on Labor & Public Employment, then to the Committee on Finance

752 Committee on Finance

753 Committee on Public Safety & Military Affairs, then to the Committee on Finance

754 Committee on Finance

755 Committee on Finance

756 Committee on Public Safety & Military Affairs, then to the Committee on Finance

757 Committee on Judiciary

758 Committee on Labor & Public Employment, then to the Committee on Finance

759 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

760 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

761 Committee on Transportation

762 Committee on Health, then to the Committee on Judiciary

763 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

764 Committee on Judiciary, then to the Committee on Finance

765 Committee on Judiciary, then to the Committee on Finance

766 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

767 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

768 Committee on Health, then to the Committee on Consumer Protection & Commerce

769 Committee on Health, then to the Committee on Consumer Protection & Commerce

770 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

771 Committee on Finance

772 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

773 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

774 Committee on Consumer Protection & Commerce

775 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

776 Committee on Consumer Protection & Commerce

777 Committee on Higher Education, then to the Committee on Finance

778 Committee on Judiciary

779 Committee on Transportation, then to the Committee on Finance

780 Committee on Agriculture, then to the Committee on Finance

781 Committee on Tourism & Culture, then to the Committee on Finance

782 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

783 Committee on Transportation, then to the Committee on Judiciary

784 Committee on Labor & Public Employment, then to the Committee on Finance

785 Committee on Health, then to the Committee on Finance

786 Committee on Health, then to the Committee on Judiciary

787 Committee on Health, then to the Committee on Judiciary

788 Committee on Health, then to the Committee on Judiciary

789 Committee on Judiciary, then to the Committee on Finance

790 Committee on Energy & Environmental Protection, then to the Committee on Finance

791 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

792 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

793 Committee on Finance

794 Committee on Judiciary

795 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

796 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

797 Committee on Judiciary

798 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

799 Committee on Education, then to the Committee on Finance

800 Committee on Judiciary

801 Committee on Finance

802 Committee on Public Safety & Military Affairs, then to the Committee on Finance

803 Committee on Education, then to the Committee on Finance

804 Committee on International Affairs, then to the Committee on Finance

805 Committee on Transportation, then to the Committee on Finance

806 Committee on Transportation, then to the Committee on Finance

807 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

808 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

809 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

810 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

811 Committee on Human Services & Housing, then to the Committee on Judiciary

812 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

813 Committee on Human Services & Housing, then to the Committee on Finance

814 Jointly to the Committee on Higher Education and the Committee on Human Services & Housing, then to the Committee on Finance

815 Committee on Consumer Protection & Commerce

816 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

817 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

818 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

819 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

820 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

821 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

822 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

823 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

824 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

825 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

826 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

827 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

828 Committee on Human Services & Housing, then to the Committee on Finance

829 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

830 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

831 Committee on Public Safety & Military Affairs, then to the Committee on Finance

832 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

833 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment

834 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

835 Committee on Human Services & Housing, then to the Committee on Finance

836 Committee on Judiciary, then to the Committee on Finance

837 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

838 Committee on Health, then to the Committee on Finance

839 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

840 Committee on Energy & Environmental Protection, then to the Committee on Finance

841 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

842 Committee on Legislative Management, then to the Committee on Finance

843 Committee on Health, then to the Committee on Finance

844 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

845 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

846 Committee on Agriculture, then to the Committee on Finance

847 Committee on Finance

848 Committee on Judiciary, then to the Committee on Finance

849 Committee on Judiciary

850 Committee on Human Services & Housing

851 Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

852 Committee on Labor & Public Employment, then to the Committee on Finance

853 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

854 Committee on Labor & Public Employment, then to the Committee on Finance

855 Committee on Labor & Public Employment, then to the Committee on Finance

856 Committee on Labor & Public Employment, then to the Committee on Finance

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858 Committee on Labor & Public Employment, then to the Committee on Finance

859 Committee on Labor & Public Employment, then to the Committee on Finance

860 Committee on Labor & Public Employment, then to the Committee on Finance

861 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

862 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

863 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

864 Committee on Public Safety & Military Affairs, then to the Committee on Finance

865 Committee on Judiciary

866 Committee on Labor & Public Employment, then to the Committee on Finance

867 Committee on Labor & Public Employment, then to the Committee on Finance

868 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

869 Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

870 Committee on Energy & Environmental Protection, then to the Committee on Finance

871 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

872 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

873 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

874 Committee on Public Safety & Military Affairs

875 Committee on Health

876 Committee on Health

877 Committee on Health

878 Committee on Health

879 Committee on Health

880 Committee on Finance

881 Committee on Finance

882 Committee on Higher Education, then to the Committee on Finance

883 Committee on Judiciary, then to the Committee on Finance

884 Committee on Judiciary, then to the Committee on Finance

885 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

886 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

887 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

888 Committee on Judiciary

889 Committee on Judiciary

890 Committee on Judiciary

891 Committee on Judiciary

892 Committee on Judiciary

893 Committee on Transportation, then to the Committee on Judiciary

894 Committee on Transportation, then to the Committee on Judiciary

895 Committee on Transportation, then to the Committee on Finance

896 Committee on Legislative Management, then to the Committee on Finance

897 Committee on Legislative Management, then to the Committee on Finance

898 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

899 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

900 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

901 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

902 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

903 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

904 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

905 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

906 Committee on Human Services & Housing, then to the Committee on Finance

907 Committee on Judiciary

908 Committee on Judiciary

909 Committee on Judiciary

910 Committee on Judiciary

911 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

912 Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 416 through 912) passed First Reading by title and were referred to Printing: (Representatives Cabanilla, Carroll, Herkes, McKelvey and Takamine were excused.)

H. B. Nos.

416 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Representatives Souki and Nishimoto.

417 "A BILL FOR AN ACT RELATING TO MOTOR SCOOTER AND MOPED HELMET USAGE."

Introduced by: Representative Souki.

418 "A BILL FOR AN ACT RELATING TO BINGO GAMES."

Introduced by: Representatives Souki and Chang.

419 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representative Herkes.

420 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representative Herkes.

421 "A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS."

Introduced by: Representatives Herkes, Carroll, Yamashita and Rhoads.

422 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Herkes.

423 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE KEY INFORMATION ACCESS."

Introduced by: Representative Herkes.

424 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representatives Takamine, Chang, Evans, Green, Hanohano, Herkes and Tsuji.

425 "A BILL FOR AN ACT RELATING TO GASOLINE."

Introduced by: Representatives Lee, Morita, Evans, Nishimoto, Rhoads and Wakai.

426 "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION."

Introduced by: Representatives Lee, Cabanilla, Green, Mizuno, Morita and Takai.

427 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representatives Lee and Yamane.

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

Introduced by: Representatives Lee, Awana, Belatti, Evans, Green, Mizuno and Morita.

429 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY."

Introduced by: Representative M. Oshiro.

430 "A BILL FOR AN ACT RELATING TO PAYDAY LENDING."

Introduced by: Representatives M. Oshiro, Herkes, Evans, Har, Lee and McKelvey.

431 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON TWENTY-FOUR-HOUR COVERAGE."

Introduced by: Representatives Wakai and Nishimoto.

432 "A BILL FOR AN ACT RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS."

Introduced by: Representatives Wakai and Nishimoto.

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

Introduced by: Representatives Wakai and Nishimoto.

434 "A BILL FOR AN ACT RELATING TO AN ADVISORY REFERENDUM ON A STATE LOTTERY IN HAWAII."

Introduced by: Representative Nishimoto, by request.

435 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representative Nishimoto.

436 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Nishimoto.

437 "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS."

Introduced by: Representative Nishimoto.

438 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

Introduced by: Representative Nishimoto.

439 "A BILL FOR AN ACT RELATING TO STANDARD DEDUCTION."

Introduced by: Representative Nishimoto.

440 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Nishimoto.

441 "A BILL FOR AN ACT RELATING TO LEAF BLOWERS."

Introduced by: Representative Nishimoto.

442 "A BILL FOR AN ACT RELATING TO JURY DUTY."

Introduced by: Representative Nishimoto.

443 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE."

Introduced by: Representative Nishimoto.

444 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representative Nishimoto.

445 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."

Introduced by: Representative Nishimoto.

446 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SACRED HEARTS ACADEMY."

Introduced by: Representative Nishimoto.

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

Introduced by: Representative Nishimoto, by request.

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

Introduced by: Representative Nishimoto.

449 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ADVERTISING."

Introduced by: Representative Nishimoto.

450 "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE."

Introduced by: Representative Nishimoto.

451 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representative Nishimoto.

452 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Representative Nishimoto, by request.

453 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON THE STATUS OF WOMEN."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Carroll, Chang, Evans, Finnegan, Luke, Marumoto, Meyer, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen and Cabanilla.

454 "A BILL FOR AN ACT RELATING TO PERINATAL CARE."

Introduced by: Representatives Lee, Awana, Carroll, Evans, Finnegan, Hanohano, Har, Luke, Marumoto, Meyer, Morita, Pine, Rhoads, Shimabukuro, Thielen and Belatti.

455 "A BILL FOR AN ACT RELATING TO FAMILY PLANNING."

Introduced by: Representatives Lee, Awana, Belatti, Chang, Ching, Hanohano, Luke, Marumoto, Morita, Shimabukuro, Thielen, Brower, Carroll, Har, Mizuno and Rhoads.

456 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Carroll, Evans, Hanohano, Marumoto, Morita, Rhoads, Shimabukuro and Thielen.

457 "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Carroll, Chang, Ching, Evans, Finnegan, Hanohano, Luke, Manahan, Marumoto, Meyer, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen, Brower, Cabanilla and Har.

458 "A BILL FOR AN ACT RELATING TO MISSING PERSONS."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Carroll, Chang, Ching, Evans, Finnegan, Hanohano, Har, Manahan, Marumoto, Meyer, Mizuno, Morita, Pine, Shimabukuro, Thielen, Luke and Rhoads.

459 "A BILL FOR AN ACT RELATING TO CERVICAL CANCER AWARENESS."

Introduced by: Representatives Lee, Awana, Carroll, Chang, Evans, Finnegan, Har, Luke, Manahan, Marumoto, Meyer, Morita, Pine, Shimabukuro, Thielen, Belatti and Rhoads.

460 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representatives Meyer, Awana, Cabanilla, Ching, Finnegan and Pine.

461 "A BILL FOR AN ACT RELATING TO DECABROMODIPHENYLETHER."

Introduced by: Representatives Thielen, Awana, Berg, Carroll, Finnegan, Hanohano, Lee, Luke, Manahan, Mizuno, Morita, Rhoads and Shimabukuro.

462 "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM."

Introduced by: Representatives Thielen, Awana, Belatti, Berg, Cabanilla, Carroll, Chang, Ching, Evans, Finnegan, Hanohano, Lee, Luke, Manahan, Marumoto, Meyer, Morita, Pine, Rhoads and Shimabukuro.

463 "A BILL FOR AN ACT RELATING TO STATE EMPLOYEE CHILD CARE FACILITIES AND SERVICES."

Introduced by: Representatives Thielen, Awana, Belatti, Berg, Carroll, Ching, Evans, Finnegan, Hanohano, Har, Lee, Luke, Marumoto, Meyer, Morita, Pine, Rhoads and Shimabukuro.

464 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Carroll, Evans, Hanohano, Manahan, Marumoto, Meyer, Morita, Shimabukuro and Thielen.

465 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH"

Introduced by: Representatives Lee, Awana, Ching, Hanohano, Luke, Mizuno, Shimabukuro, Thielen, Belatti, Carroll, Chang, Marumoto, Meyer, Morita, Pine and Rhoads.

466 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Thielen, Awana, Belatti, Berg, Carroll, Chang, Evans, Hanohano, Lee, Luke, Morita, Rhoads, Shimabukuro, Cabanilla and Har.

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

Introduced by: Representatives Lee, Awana, Belatti, Berg, Evans, Hanohano, Har, Manahan, Marumoto, Meyer, Morita, Shimabukuro, Thielen and Carroll.

468 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Hanohano, Lee, Luke, Manahan, Mizuno, Morita, Pine, Thielen, Berg, Brower, Carroll, Chang, Har and Rhoads.

469 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Carroll, Chang, Evans, Hanohano, Har, Lee, Luke, Manahan, Mizuno, Morita, Pine, Rhoads, Thielen and Cabanilla.

470 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Brower, Ching, Hanohano, Luke, Manahan, Marumoto, Mizuno, Morita, Pine, Rhoads, Thielen, Finnegan and Lee.

471 "A BILL FOR AN ACT RELATING TO RENTAL APPLICATION FEES."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Carroll, Finnegan, Hanohano, Lee, Marumoto, Meyer, Morita, Thielen, Chang, Evans, Luke, Mizuno and Rhoads.

472 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Carroll, Hanohano, Lee, Luke, Meyer, Morita, Pine, Thielen, Mizuno and Rhoads.

473 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES."

Introduced by: Representatives Shimabukuro, Ching, Hanohano, Har, Lee, Manahan, Marumoto, Meyer, Mizuno, Morita, Pine, Thielen, Awana, Belatti, Berg, Carroll, Chang and Rhoads.

474 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Carroll, Hanohano, Lee, Luke, Mizuno, Morita, Thielen, Cabanilla and Rhoads.

475 "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Carroll, Evans, Finnegan, Hanohano, Lee, Luke, Manahan, Meyer, Mizuno, Morita, Pine, Rhoads, Thielen and Cabanilla.

476 "A BILL FOR AN ACT RELATING TO STATE PROCUREMENT CONTRACTS."

Introduced by: Representatives Berg, Belatti, Bertram, B. Oshiro and Takumi.

477 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representatives Berg, B. Oshiro, Belatti, Bertram and Brower.

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

Introduced by: Representatives Berg, Belatti, Takumi and Brower.

479 "A BILL FOR AN ACT RELATING TO MAKUA VALLEY."

Introduced by: Representatives Berg, Hanohano and Bertram.

480 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives Berg, Nishimoto, B. Oshiro, Belatti and Brower.

481 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION TO INSTALL NAVIGATION LIGHTS ON THE BRIDGE OVER KALANIANAOLE HIGHWAY AT THE ENTRANCE TO THE HAWAII KAI MARINA ON OAHU."

Introduced by: Representatives Berg, Nishimoto and Brower.

482 "A BILL FOR AN ACT RELATING TO CROSSWALKS."

Introduced by: Representatives Berg and Brower.

483 "A BILL FOR AN ACT RELATING TO CHECK CASHING."

Introduced by: Representatives Berg, Belatti, Bertram, Brower, Mizuno, Nishimoto, and B. Oshiro.

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

Introduced by: Representative Shimabukuro.

485 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Representative Shimabukuro.

486 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

487 "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS."

Introduced by: Representative Shimabukuro.

488 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HEALTH."

Introduced by: Representative Shimabukuro.

489 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representatives Bertram, Evans, Chong, Hanohano, Ito, Mizuno and Rhoads.

490 "A BILL FOR AN ACT RELATING TO BIKEWAYS."

Introduced by: Representatives Bertram, Meyer, Pine, Sonson, Hanohano, Nishimoto and Rhoads.

491 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Bertram and Chong.

492 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Bertram, Evans, McKelvey, Awana, Carroll, Hanohano, Mizuno, M. Oshiro, Rhoads, Tokioka and Ward.

493 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representatives Bertram, Awana, Hanohano, McKelvey, Sonson, Takamine and Takumi.

494 "A BILL FOR AN ACT RELATING TO SMALL BOAT RAMPS."

Introduced by: Representatives Bertram, Evans, Hanohano, Chong, Ito, Manahan, Mizuno and Rhoads.

495 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Bertram, McKelvey, Mizuno, Meyer, Pine, Ward, Awana, Carroll, Chong, Evans, Hanohano, Magaoay, Sagum and Tokioka.

496 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Bertram.

497 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Bertram, Nishimoto, Sonson, Meyer, Pine, Evans, Hanohano, Manahan and Rhoads.

498 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIFEGUARD SERVICES AT MAKENA STATE PARK ON MAUI."

Introduced by: Representatives Bertram, Awana, Carroll, Chong, Evans, Hanohano, Lee, Manahan, Mizuno, M. Oshiro, Pine, Rhoads, Tokioka and Ward.

499 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT THE STATE PARK IN MAKENA, MAUI."

Introduced by: Representatives Bertram, Hanohano, Ito, Chong, Manahan, Mizuno, M. Oshiro and Rhoads.

500 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Representative Say, by request.

501 "A BILL FOR AN ACT RELATING TO LOW-INCOME REFUNDABLE TAX CREDIT."

Introduced by: Representatives Chong, Ito, B. Oshiro, Sonson, Waters, Yamashita, Carroll, Chang, Herkes, Lee, Magaoay, M. Oshiro, Sagum, Say, Souki, Wakai and Yamane.

502 "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS."

Introduced by: Representatives Chong, Brower, Ito, B. Oshiro, Waters, Belatti, Carroll, Chang, Herkes, Lee, Magaoay, M. Oshiro, Sagum, Say, Sonson, Souki, Wakai, Yamane and Yamashita.

503 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Chong, Ito, Lee, B. Oshiro, Waters, Yamane, Yamashita, Carroll, Chang, Herkes, Magaoay, M. Oshiro, Say and Sonson.

504 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY."

Introduced by: Representatives Chong, Ito, Lee, B. Oshiro, Waters, Yamane, Yamashita, Carroll, Chang, Herkes and Magaoay.

505 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Souki, Bertram, Karamatsu, Magaoay, M. Oshiro, Yamashita, Har, Nakasone, and B. Oshiro.

506 "A BILL FOR AN ACT RELATING TO ETHANOL."

Introduced by: Representatives Souki, Brower, Caldwell, Carroll, McKelvey, Mizuno, Morita, Nishimoto, Tsuji, Yamashita, Bertram, Chong, Har and Nakasone.

507 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Representative Souki.

508 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Souki.

509 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Souki.

510 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Souki.

511 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Souki.

512 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Souki.

513 "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID."

Introduced by: Representative Nakasone.

514 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representative Nakasone.

515 "A BILL FOR AN ACT RELATING TO LONG-TERM INSURANCE TAX CREDIT FOR SMALL BUSINESS."

Introduced by: Representative Nakasone.

516 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Representative Nakasone.

517 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO PROVIDE THE UNIVERSITY OF HAWAII WITH COMPLETE AUTONOMY FROM THE EXECUTIVE BRANCH."

Introduced by: Representative Nakasone.

518 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representative Nakasone.

519 "A BILL FOR AN ACT RELATING TO THE STATE DEFERRED COMPENSATION PLAN."

Introduced by: Representative Nakasone.

520 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representative Nakasone.

521 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Representative Herkes, by request.

522 "A BILL FOR AN ACT RELATING TO RENTAL CARS."

Introduced by: Representative Herkes.

523 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno, Bertram, Ching, Marumoto, Meyer, Shimabukuro, Awana, Manahan and Sonson.

524 "A BILL FOR AN ACT RELATING TO CHILD WELFARE."

Introduced by: Representatives Mizuno, Green, Manahan, Shimabukuro, Sonson, Awana, Marumoto, Meyer and Rhoads.

525 "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN'S TRANSITION TO ADULTHOOD."

Introduced by: Representatives Mizuno, Awana, Bertram, Cabanilla, Manahan, Meyer, Shimabukuro, Sonson, Belatti and Marumoto.

526 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Representatives Mizuno, Bertram, Pine, Shimabukuro, Awana, Brower, Cabanilla, Ching, Green, Manahan, Marumoto and Sonson.

527 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representatives Mizuno, Awana, Bertram, Ching, Finnegan, Green, Manahan, Marumoto, Meyer, Pine, Rhoads, Thielen, Tokioka, Belatti, Brower, Cabanilla and Shimabukuro.

528 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Representatives Mizuno, Bertram, Cabanilla, Green, Manahan, Marumoto, Shimabukuro, Thielen, Awana, Belatti, Brower and Rhoads.

529 "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS."

Introduced by: Representatives Mizuno, Bertram, Cabanilla, Ching, Evans, Finnegan, Manahan, Meyer, Pine, Shimabukuro, Thielen, Awana, Belatti, Brower, Rhoads and Sonson.

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

Introduced by: Representatives Mizuno, Awana, Ching, Evans, Finnegan, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Sonson, Thielen and Green.

531 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno, Awana, Ching, Evans, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Thielen, Bertram and Sonson.

532 "A BILL FOR AN ACT RELATING TO BULLYING."

Introduced by: Representatives Mizuno, Awana, Ching, Evans, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Sonson, Thielen, Waters and Rhoads.

533 "A BILL FOR AN ACT RELATING TO BULLYING."

Introduced by: Representatives Mizuno, Awana, Ching, Evans, Manahan, Meyer, Pine, Shimabukuro, Sonson, Thielen, Waters, Bertram, Marumoto and Rhoads.

534 "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY."

Introduced by: Representatives Mizuno, Awana, Ching, Evans, Green, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Sonson, Thielen, Waters, Belatti, Bertram, Brower, Finnegan and Rhoads.

535 "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT."

Introduced by: Representatives Mizuno, Awana, Bertram, Brower, Cabanilla, Evans, Green, Manahan, Marumoto, Meyer, Pine, Rhoads, Shimabukuro, Sonson and Thielen.

536 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno, Awana, Bertram, Brower, Cabanilla, Green, Manahan, Marumoto, Pine, Rhoads, Shimabukuro, Sonson, Thielen and Waters.

537 "A BILL FOR AN ACT RELATING TO PERINATAL CARE."

Introduced by: Representatives Mizuno, Awana, Ching, Evans, Finnegan, Green, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Thielen, Belatti, Rhoads and Sonson.

538 "A BILL FOR AN ACT RELATING TO SCHOOL-AGE CHILDREN."

Introduced by: Representatives Mizuno, Awana, Ching, Finnegan, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Sonson, Thielen, Bertram, Green and Waters.

539 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL NUTRITION."

Introduced by: Representatives Mizuno, Awana, Bertram, Brower, Cabanilla, Ching, Green, Manahan, Marumoto, Pine, Shimabukuro, Thielen, Waters and Sonson.

540 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GLOBAL YOUTH CENTER IN HAWAII."

Introduced by: Representatives Mizuno, Awana, Bertram, Finnegan, Green, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Thielen, Waters and Sonson.

541 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno, Awana, Bertram, Cabanilla, Ching, Evans, Finnegan, Green, Manahan, Marumoto, Meyer, Pine, Shimabukuro, Thielen, Waters, Brower, Rhoads and Sonson.

542 "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM."

Introduced by: Representatives Mizuno, Belatti, Green, Manahan, Marumoto, Pine, Shimabukuro, Thielen, Awana, Bertram, Brower, Ching, Finnegan, Meyer, Rhoads and Sonson.

543 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRANSITIONAL HOUSING PROGRAMS ADDRESSING HOMELESSNESS."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

544 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR DRUG TREATMENT PROGRAMS."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

545 "A BILL FOR AN ACT RELATING TO THE EXCLUSION OF PROCEEDS FROM THE MANUFACTURE, PACKAGING, AND SALE OF FOOD FROM GENERAL EXCISE TAX LIABILITY."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

546 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Finnegan, Awana, Marumoto, Meyer, Pine, Thielen and Ward.

547 "A BILL FOR AN ACT RELATING TO ARTICLE VII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

548 "A BILL FOR AN ACT RELATING TO AN INCREASE IN THE STANDARD DEDUCTION."

Introduced by: Representatives Ching, Awana, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

549 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representatives Ching, Awana, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

550 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

551 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Thielen, Awana, Ching, Finnegan, Marumoto, Meyer, Pine and Ward.

552 "A BILL FOR AN ACT RELATING TO EDUCATION FUNDING."

Introduced by: Representatives Ching, Awana, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

553 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NONPROFIT REINTEGRATION PROGRAMS."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

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

Introduced by: Representatives Meyer, Awana, Ching, Finnegan, Marumoto, Pine and Thielen.

555 "A BILL FOR AN ACT RELATING TO SALARY PERIODS."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

556 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE EMPLOYEE RETIREMENT SYSTEM."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

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

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Thielen and Ward.

558 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives Ching, Awana, Finnegan, Marumoto, Thielen and Ward.

559 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Meyer, Awana, Finnegan, Marumoto, Pine and Ward.

560 "A BILL FOR AN ACT RELATING TO AN EXEMPTION TO THE GENERAL EXCISE TAX."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

561 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

562 "A BILL FOR AN ACT RELATING TO INFLATION ADJUSTMENTS TO CHAPTER 235, HAWAII REVISED STATUTES."

Introduced by: Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

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

Introduced by: Representatives Meyer, Awana, Ching, Finnegan, Marumoto, Pine, Thielen and Ward.

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

Introduced by: Representatives Ching, Awana, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

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

Introduced by: Representatives Ching, Awana, Finnegan, Meyer, Pine, Ward and Marumoto.

566 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Finnegan, Pine, Evans, Har and Nishimoto.

567 "A BILL FOR AN ACT RELATING TO MOTOR SPORTS FACILITY."

Introduced by: Representative Yamane.

568 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Yamane, Ito, Manahan and Mizuno.

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

Introduced by: Representatives Yamane, Brower, Karamatsu, Manahan, Yamashita and Say.

570 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Yamane, Brower, Chang, Hanohano, Manahan, Marumoto, Tsuji, Yamashita and Herkes.

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

Introduced by: Representatives Yamane, Carroll, Evans, Manahan, Tokioka, Tsuji and Yamashita.

572 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS."

Introduced by: Representatives Yamane, Brower, Ito, Manahan, Chang, Evans and Tsuji.

573 "A BILL FOR AN ACT RELATING TO DISASTER WARNINGS."

Introduced by: Representatives Yamane, Evans, Ito, Wakai and Yamashita.

574 "A BILL FOR AN ACT RELATING TO PUBLIC BEACH PARKS."

Introduced by: Representatives Yamane, Ito, Manahan, Brower and Magaoay.

575 "A BILL FOR AN ACT RELATING TO EMERGENCIES."

Introduced by: Representatives Yamane, Brower, Chang, Hanohano, Manahan, Marumoto, Tsuji and Yamashita.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

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

Introduced by: Representative Yamane.

581 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS."

Introduced by: Representatives Yamane, Chong, Finnegan, Lee, Karamatsu and Say.

582 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Representatives Yamane, Lee, Sonson, Yamashita, Karamatsu and Magaoay.

583 "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS."

Introduced by: Representatives Yamane, Karamatsu, Luke, Mizuno, Waters and Yamashita.

584 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Yamane, Karamatsu, Carroll, Chong, Lee, Wakai and Yamashita.

585 "A BILL FOR AN ACT RELATING TO SOVEREIGN IMMUNITY."

Introduced by: Representatives Yamane, Magaoay, Manahan, M. Oshiro, Brower and Yamashita.

586 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Yamane, Carroll, Chang, Evans, Say, Yamashita, Bertram, Herkes, McKelvey and Tokioka.

587 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Yamane, Lee, Say, Chong and Yamashita.

588 "A BILL FOR AN ACT RELATING TO ENERGY SELF-SUFFICIENCY."

Introduced by: Representatives Yamane, Brower, Manahan, McKelvey, Tsuji, Carroll, Chong and Yamashita.

589 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Representatives Yamane, Chong, Karamatsu, Manahan, Lee, Mizuno, Tokioka and Tsuji.

590 "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Introduced by: Representatives Yamane, Chong, Hanohano, Lee, Luke, Manahan, McKelvey, Mizuno, Pine, Sonson, Takai, Takumi, Thielen, Waters, Belatti, Berg, Bertram, Carroll, Evans, Herkes, Karamatsu, Nishimoto, M. Oshiro and Yamashita.

591 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Chong and Sonson.

592 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS."

Introduced by: Representative Takumi.

593 "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS."

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

596 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

599 "A BILL FOR AN ACT RELATING TO TEACHER HOUSING."

Introduced by: Representative Takumi.

600 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."

Introduced by: Representative Takumi.

601 "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE."

Introduced by: Representatives Takumi and Takai.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

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

Introduced by: Representative Takumi.

605 "A BILL FOR AN ACT RELATING TO LAND DEVELOPMENT."

Introduced by: Representatives Luke, Berg, Cabanilla, Carroll, Ching, Green, Marumoto, Mizuno, Nishimoto, Saiki, Sonson, Thielen, Wakai, Ward, Belatti, Bertram, Brower, Caldwell, Evans, Magaoay, Morita, B. Oshiro, Rhoads, Shimabukuro, Takumi, Waters and Yamane.

606 "A BILL FOR AN ACT RELATING TO HAZARDOUS LAND."

Introduced by: Representatives Luke, Berg, Cabanilla, Ching, Evans, Green, Marumoto, Meyer, Mizuno, Nishimoto, B. Oshiro, Saiki, Shimabukuro, Sonson, Thielen, Belatti, Bertram, Brower, Caldwell, Carroll, Magaoay, Morita, Rhoads, Takumi, Wakai, Ward, Waters and Yamashita.

607 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY CENTER."

Introduced by: Representatives Luke and Belatti.

608 "A BILL FOR AN ACT RELATING TO CONSERVATION LAND."

Introduced by: Representatives Luke, Belatti, Berg, Cabanilla, Caldwell, Carroll, Ching, Evans, Green, Har, Herkes, Magaoay, Marumoto, Meyer, Mizuno, Morita, Nishimoto, B. Oshiro, Saiki, Shimabukuro, Sonson, Thielen, Tsuji, Waters, Yamane, Bertram, Brower, Rhoads, Takumi, Wakai and Ward.

609 "A BILL FOR AN ACT RELATING TO CULTURAL IMPACT STUDY."

Introduced by: Representatives Luke, Belatti, Berg, Cabanilla, Carroll, Ching, Evans, Green, Har, Magaoay, Morita, B. Oshiro, Shimabukuro, Sonson, Tsuji, Ward, Bertram, Brower, Caldwell, Herkes, Mizuno, Nishimoto, Rhoads, Saiki, Takumi, Thielen, Wakai, Waters, Yamane and Yamashita.

610 "A BILL FOR AN ACT RELATING TO CULTURAL IMPACT STUDIES."

Introduced by: Representatives Luke, Berg, Brower, Cabanilla, Carroll, Ching, Evans, B. Oshiro, Shimabukuro, Sonson, Ward, Belatti, Bertram, Caldwell, Green, Har, Herkes, Magaoay, Marumoto, Mizuno, Morita, Nishimoto, Rhoads, Saiki, Takumi, Thielen, Tsuji, Wakai, Waters and Yamane.

611 "A BILL FOR AN ACT RELATING TO OFF-HIGHWAY MOTOR VEHICLES."

Introduced by: Representatives Evans and Carroll.

612 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Evans, Carroll, McKelvey, Herkes and Morita.

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

Introduced by: Representatives Evans, Carroll and Herkes.

614 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Representatives Evans, McKelvey, Carroll and Herkes.

615 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Evans and Carroll.

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

Introduced by: Representatives Evans, Finnegan, Har and Thielen.

617 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Evans, Finnegan, Har and Thielen.

618 "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS."

Introduced by: Representatives Evans, Finnegan, Har and Thielen.

619 "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES."

Introduced by: Representatives Evans, Finnegan, Har and Thielen.

620 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Representatives Evans, Finnegan, Har and Thielen.

621 "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS."

Introduced by: Representatives Evans, Finnegan, Har and Thielen.

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

Introduced by: Representatives Evans, Har and Carroll.

623 "A BILL FOR AN ACT RELATING TO BUILDING CODES."

Introduced by: Representatives Evans and Har.

624 "A BILL FOR AN ACT RELATING TO PAROLE."

Introduced by: Representatives Evans, Carroll and Har.

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

Introduced by: Representatives Evans and Har.

626 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."

Introduced by: Representatives Evans and Har.

627 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY."

Introduced by: Representative Evans.

628 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representatives Evans and Carroll.

629 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES."

Introduced by: Representatives Evans, Carroll, McKelvey and Har.

630 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Representatives Evans and Carroll.

631 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Evans and Carroll.

632 "A BILL FOR AN ACT RELATING TO BOOKMOBILES."

Introduced by: Representatives Evans, Carroll and Herkes.

633 "A BILL FOR AN ACT RELATING TO FENCING."

Introduced by: Representatives Evans, Carroll and Sagum.

634 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representatives Evans, Carroll and Sagum.

635 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."

Introduced by: Representatives Evans and Carroll.

636 "A BILL FOR AN ACT RELATING TO SEPTIC SYSTEMS."

Introduced by: Representatives Evans and Carroll.

637 "A BILL FOR AN ACT RELATING TO CIGARETTES."

Introduced by: Representative Takai.

638 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Bertram.

639 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representatives Morita, Saiki, Carroll, Chong, Magaoay, Sagum and Thielen.

640 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Carroll, Ito, Magaoay, Sagum, Saiki, Thielen and Chong.

641 "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING."

Introduced by: Representatives Morita, Carroll, Chong, Magaoay, M. Oshiro, Saiki, Thielen, Wakai, Waters, Bertram, Ito, Rhoads and Sagum.

642 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representatives Morita, Saiki, Thielen, Carroll, Magaoay and Sagum.

643 "A BILL FOR AN ACT RELATING TO FUEL TAX."

Introduced by: Representatives Morita, Sagum and Tokioka.

644 "A BILL FOR AN ACT RELATING TO A BIOENERGY MASTER PLAN."

Introduced by: Representatives Morita, Sagum and Thielen.

645 "A BILL FOR AN ACT RENEWABLE ENERGY TECHNOLOGY; INCOME TAX CREDIT."

Introduced by: Representatives Morita, Thielen, Wakai and Yamashita.

646 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representative Morita.

647 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representative Morita.

648 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representative Morita.

649 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representative Morita.

650 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representative Morita.

651 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Representatives Morita, Awana, Carroll, Chong, Waters and Sagum.

652 "A BILL FOR AN ACT RELATING TO DAM SAFETY."

Introduced by: Representatives Morita, Carroll, Chong, Ito, Magaoay, Saiki, Thielen and Sagum.

653 "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representatives Morita, Carroll, Chong, Ito, Magaoay, M. Oshiro, Saiki, Thielen, Wakai, Waters, Bertram and Sagum.

654 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Morita, Sagum, Thielen, Belatti and Carroll.

655 "A BILL FOR AN ACT RELATING TO THE CONSERVATION DISTRICTS."

Introduced by: Representatives Morita, Berg, Magaoay, Belatti, Bertram, Carroll, Chong, Ito, Sagum and Tokioka.

656 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representative Morita.

657 "A BILL FOR AN ACT RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS."

Introduced by: Representatives Morita, Chong, Thielen and Waters.

658 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Representatives Morita, Carroll, Chong, Ito, Magaoay, Saiki and Sagum.

659 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representatives Morita, Awana, Carroll, Chong, Waters and Sagum.

660 "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS."

Introduced by: Representative Waters.

661 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representatives Waters, Belatti, Berg, Caldwell, Green, Mizuno and Bertram.

662 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Waters.

663 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Waters.

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

Introduced by: Representative Waters.

665 "A BILL FOR AN ACT RELATING TO TATTOOS."

Introduced by: Representative Waters.

666 "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX."

Introduced by: Representative Rhoads.

667 "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX."

Introduced by: Representative Rhoads.

668 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Rhoads, Belatti, Hanohano, Har, Luke, Manahan, Mizuno, Nishimoto, Shimabukuro, Yamane, Bertram, Brower, Herkes, McKelvey, Saiki, Takamine and Tokioka.

669 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIVERSITY OF HAWAII HEALTHCARE WORKFORCE SIMULATION RESOURCE LABORATORIES."

Introduced by: Representatives Chang, Herkes, Ito, Karamatsu, Lee, Magaoay, Takai, Tokioka, Bertram, Caldwell, Green, Hanohano, Manahan, Mizuno, Say, Souki, Takumi and Tsuji.

670 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Representatives Chang, Evans, Bertram, Caldwell, Carroll, Chong, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, Say, Souki, Tokioka, Tsuji and Yamashita.

671 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR PROGRAMS."

Introduced by: Representatives Chang, Caldwell, Hanohano, Herkes, Ito, Lee, Magaoay, Mizuno, B. Oshiro, Takai, Tokioka, Tsuji, Bertram, Chong, Green, Manahan, Say, Souki and Yamane.

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

Introduced by: Representatives Chang, Magaoay, Manahan, Takai, Tokioka, Waters, Bertram, Caldwell, Carroll, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Mizuno, Nishimoto, Say, Souki, Tsuji, Yamane and Yamashita.

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

Introduced by: Representatives Chang, Lee, Magaoay, Takai, Bertram, Caldwell, Evans, Green, Hanohano, Ito, Karamatsu, Mizuno, Nishimoto, B. Oshiro, Say, Souki, Tokioka and Tsuji.

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

Introduced by: Representatives Chang, Lee, Magaoay, Takai, Bertram, Caldwell, Carroll, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Manahan, Mizuno, Nishimoto, B. Oshiro, Say, Souki, Tokioka, Tsuji, Yamane.

675 "A BILL FOR AN ACT RELATING TO DEATH WITH DIGNITY."

Introduced by: Representatives B. Oshiro, Belatti, Caldwell, Har, Ito, Luke, Marumoto, Morita, M. Oshiro, Saiki, Say, Shimabukuro, Takumi, Thielen and Souki.

676 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representatives B. Oshiro, Luke and Waters.

677 "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES."

Introduced by: Representatives B. Oshiro, Luke and Waters.

678 "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS."

Introduced by: Representatives B. Oshiro, Berg, Caldwell, Carroll, Shimabukuro, Thielen, Wakai, Belatti, Bertram, Karamatsu and Morita.

679 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CLINICAL TRIAL UNITS FOR HIV AND AIDS IN HAWAII."

Introduced by: Representatives B. Oshiro, Green, and M. Oshiro.

680 "A BILL FOR AN ACT RELATING TO MARIJUANA POSSESSION."

Introduced by: Representatives B. Oshiro, Luke and Caldwell.

681 "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS."

Introduced by: Representatives B. Oshiro, Caldwell, Luke, M. Oshiro, Shimabukuro and Thielen.

682 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives B. Oshiro, Green, Lee, Luke, Mizuno and Waters.

683 "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE."

Introduced by: Representatives B. Oshiro, Finnegan, Luke, Nishimoto, Takai, Wakai, Berg and Karamatsu.

684 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Representatives Chang, Bertram, Carroll, Chong, Evans, Hanohano, Ito, Karamatsu, Lee, Magaoay, Manahan, Mizuno, B. Oshiro, Yamane, Caldwell, Green, Herkes, Say, Souki, Tokioka and Tsuji.

685 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Chang, Bertram, Caldwell, Carroll, Chong, Hanohano, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Mizuno, B. Oshiro, Say, Souki, Takai, Tokioka, Tsuji and Yamane.

686 "A BILL FOR AN ACT RELATING TO FORENSIC IDENTIFICATION."

Introduced by: Representatives Chang, Herkes, Ito, Lee, B. Oshiro, Yamane, Caldwell, Chong, Green, Hanohano, Manahan, Mizuno, Say, Souki and Tsuji.

687 "A BILL FOR AN ACT RELATING TO CORPORATIONS."

Introduced by: Representatives M. Oshiro and Yamashita.

688 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representatives Sonson and Shimabukuro.

689 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representatives Sonson and Shimabukuro.

690 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Sonson.

691 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE."

Introduced by: Representative Sonson.

692 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji and Brower.

693 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji and Brower.

694 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji and Brower.

695 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji and Brower.

696 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji and Brower.

697 "A BILL FOR AN ACT RELATING TO GREENBELTS."

Introduced by: Representatives Carroll, Bertram, Brower, Evans, Lee, McKelvey, Morita, Rhoads, Waters, Cabanilla, Caldwell, Chang, Chong, Herkes, Ito, Karamatsu, Nishimoto, B. Oshiro, Say, Sonson, Souki, Takumi, Yamane and Yamashita.

698 "A BILL FOR AN ACT RELATING TO NATURAL DISASTERS."

Introduced by: Representatives Carroll, Bertram, Cabanilla, Chang, Ito, Nishimoto, B. Oshiro, Wakai, Waters, Yamane, Brower, Caldwell, Chong, Evans, Karamatsu, Lee, McKelvey, Morita, Say, Sonson, Souki and Yamashita.

699 "A BILL FOR AN ACT RELATING TO BILL OF RIGHTS DAY."

Introduced by: Representatives Carroll, Chang, Chong, Ito, Karamatsu, Say, Waters, Caldwell, Lee and Souki.

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

Introduced by: Representatives Carroll, Cabanilla, Chang, Nishimoto, Say, Sonson, Waters, Bertram, Brower, Caldwell, Chong, Evans, Herkes, Ito, Karamatsu, McKelvey, Morita, Rhoads, Souki, Wakai and Yamashita.

701 "A BILL FOR AN ACT RELATING TO MERCURY POISONING REDUCTION."

Introduced by: Representatives Carroll, Cabanilla, Waters, Bertram, Brower, Caldwell, Chang, Chong, Evans, Herkes, Ito, Karamatsu, Lee, McKelvey, Morita, Nishimoto, B. Oshiro, Rhoads, Say, Sonson, Wakai and Yamashita.

702 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representatives Carroll, B. Oshiro, Waters, Chong, Ito and Lee.

703 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED FISH."

Introduced by: Representatives Carroll, Waters, Caldwell, Chong, Ito, Lee, B. Oshiro, Say and Souki.

704 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS."

Introduced by: Representatives Carroll, Ito, Caldwell, Chong, B. Oshiro, Souki and Waters.

705 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA HEALTH."

Introduced by: Representatives Carroll, Chang, Karamatsu, Lee, Waters, Caldwell, Chong, Ito, B. Oshiro and Say.

706 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Carroll, Waters, Bertram, Brower, Chang, Chong, Herkes, Ito, McKelvey, Morita, Nishimoto, B. Oshiro, Say, Sonson, Wakai and Yamashita.

707 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Carroll, Bertram, Evans, B. Oshiro, Waters, Cabanilla, Caldwell, Chong, Ito, Karamatsu, Lee, McKelvey, Nishimoto, Say, Sonson, Takumi and Wakai.

708 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representatives Carroll, B. Oshiro, Caldwell, Chang, Chong, Ito, Karamatsu, Lee, Souki and Waters.

709 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Carroll, Brower, Lee, B. Oshiro, Waters, Caldwell, Chong, Ito, Morita, Say and Yamashita.

710 "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS' TAX CREDIT."

Introduced by: Representatives Carroll, Brower, Waters, Caldwell, Chong, Ito, Lee, Morita, B. Oshiro, Say and Yamashita.

711 "A BILL FOR AN ACT RELATING TO WATER SYSTEMS."

Introduced by: Representatives Carroll, Cabanilla, Evans, Lee, McKelvey, Morita, Say, Sonson, Waters, Bertram, Brower, Caldwell, Chang, Chong, Herkes, Ito, Karamatsu, Nishimoto, Rhoads, Wakai and Yamashita.

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

Introduced by: Representatives Carroll, Chong, McKelvey, B. Oshiro, Bertram, Brower, Caldwell, Evans, Herkes, Ito, Lee, Morita, Nishimoto, Rhoads, Say, Sonson, Wakai, Waters and Yamashita.

713 "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY."

Introduced by: Representatives Carroll, Bertram, Cabanilla, Chang, Chong, Evans, Herkes, McKelvey, Nishimoto, B. Oshiro, Say, Waters, Brower, Caldwell, Ito, Karamatsu, Lee, Morita, Sonson, Wakai and Yamashita.

714 "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES."

Introduced by: Representatives Carroll, Chang, Caldwell, Chong, Ito, Karamatsu, Lee, B. Oshiro, Say, Souki and Waters.

715 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF WATER FOR AGRICULTURAL USE ON LANAI."

Introduced by: Representatives Carroll, Caldwell, Chang, Chong, Ito, Karamatsu, Lee, Waters, B. Oshiro and Say.

716 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL COURT."

Introduced by: Representatives Carroll, B. Oshiro, Caldwell, Chong, Karamatsu, Lee, Say and Waters.

717 "A BILL FOR AN ACT RELATING TO MOLOKAI GENERAL HOSPITAL."

Introduced by: Representatives Carroll, Chong, Karamatsu, Sagum, Yamashita, Evans and Mizuno.

718 "A BILL FOR AN ACT RELATING TO KAKAAKO."

Introduced by: Representatives Brower, Bertram, Ching, Green, Hanohano, Ito, Manahan, McKelvey, Mizuno, Pine, Shimabukuro, Thielen, Tokioka, Waters, Chong, Har, Marumoto, Meyer, Rhoads, Sagum and Say.

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

Introduced by: Representatives Cabanilla, Meyer, Evans, Finnegan, Hanohano and Sonson.

720 "A BILL FOR AN ACT RELATING TO TOLL ROADS."

Introduced by: Representatives Cabanilla, Meyer, Hanohano, Mizuno and Sagum.

721 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Cabanilla, Meyer, Mizuno, Caldwell, Karamatsu, Sonson, Tokioka and Ward.

722 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives Cabanilla, Mizuno, Evans, Finnegan, Hanohano, Karamatsu, Lee, Sonson and Souki.

723 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Cabanilla, Evans, Sonson, Caldwell, Finnegan, Hanohano, Karamatsu, Mizuno, Tokioka and Ward.

724 "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE TAX."

Introduced by: Representatives Cabanilla, Hanohano, B. Oshiro and Sagum.

725 "A BILL FOR AN ACT RELATING TO RENEWABLE RESOURCES."

Introduced by: Representatives Cabanilla, Thielen, Carroll, Hanohano, Mizuno, B. Oshiro and Sagum.

726 "A BILL FOR AN ACT RELATING TO ASSOCIATION RECORDS."

Introduced by: Representatives Cabanilla, Mizuno, Awana, Caldwell, Sonson and Tokioka.

727 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representatives Cabanilla, Awana, Karamatsu, Mizuno and Sonson.

728 "A BILL FOR AN ACT A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION, RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representatives Cabanilla, Finnegan, Evans, Hanohano, Karamatsu, Mizuno, M. Oshiro, Shimabukuro and Sonson.

729 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives Cabanilla, Hanohano, Mizuno, Karamatsu, Lee, Sonson and Souki.

730 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Cabanilla, Evans, Finnegan, Hanohano, Lee, Mizuno, Sonson and Souki.

731 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Representatives Cabanilla, Finnegan, Pine and Mizuno.

732 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Cabanilla, Finnegan, Mizuno, Bertram, Carroll, Chang, Evans, Hanohano, Herkes, Karamatsu, Marumoto, B. Oshiro, Sagum, Sonson and Wakai.

733 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chong, Karamatsu, B. Oshiro, M. Oshiro, Waters, Yamashita, Chang, Say and Souki.

734 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."

Introduced by: Representatives Caldwell, Karamatsu, B. Oshiro, Waters, Chang, Say and Souki.

735 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Carroll, Chong, Karamatsu, Lee, B. Oshiro, M. Oshiro, Yamashita, Chang, Say and Souki.

736 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION AND COASTAL AREAS PROGRAMS."

Introduced by: Representatives Caldwell, B. Oshiro, Chang, Chong, Karamatsu, Lee, M. Oshiro, Say, Souki and Yamashita.

737 "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY DEVELOPERS."

Introduced by: Representatives Caldwell, Chang, Karamatsu, Carroll, Chong, Lee, Say and Yamashita.

738 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chang, Chong, Karamatsu, Lee, Say, Souki and Yamashita.

739 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Caldwell, Carroll, Chang, B. Oshiro, Lee and Souki.

740 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO KZOO RADIO."

Introduced by: Representatives Caldwell, Karamatsu, Carroll, Chang, Herkes, Lee, Magaoay, B. Oshiro and Souki.

741 "A BILL FOR AN ACT RELATING TO SUBPOENAS."

Introduced by: Representatives Caldwell, Carroll, B. Oshiro, Waters and Say.

742 "A BILL FOR AN ACT RELATING TO ACCESS TO SAFETY DEPOSIT BOXES."

Introduced by: Representatives Caldwell, B. Oshiro, Chong, Karamatsu, Say and Souki.

743 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chong, Lee, M. Oshiro, Chang, Karamatsu, Say and Yamashita.

744 "A BILL FOR AN ACT RELATING TO TAX RECORDS."

Introduced by: Representatives Caldwell, Karamatsu, B. Oshiro, Chang, Chong, Say and Souki.

745 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1."

Introduced by: Representatives Caldwell, B. Oshiro, Carroll, Chang, Chong, Karamatsu, Say, Souki and Waters.

746 "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION."

Introduced by: Representatives Caldwell, B. Oshiro, Carroll, Chang, Chong, Karamatsu, Say, Souki and Waters.

747 "A BILL FOR AN ACT RELATING TO JURY SERVICE."

Introduced by: Representatives Caldwell, Carroll, B. Oshiro, Waters, Karamatsu and Souki.

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

Introduced by: Representatives Caldwell, B. Oshiro, Waters, Carroll and Souki.

749 "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION."

Introduced by: Representatives Caldwell, Chong, B. Oshiro, Waters, Carroll, Karamatsu and Souki.

750 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN."

Introduced by: Representatives Caldwell, Chang, Chong, Karamatsu, Lee, M. Oshiro, Say and Souki.

751 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives Caldwell, Chang, Chong, Lee, M. Oshiro, Carroll, Karamatsu, Say, Souki and Yamashita.

752 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chong, Karamatsu, Lee, M. Oshiro, Yamashita, Chang, Say and Souki.

753 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chang, B. Oshiro, Carroll, Chong, Karamatsu, Lee, Say, Souki and Yamashita.

754 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chang, Chong, Lee, M. Oshiro, Yamashita, Karamatsu and Say.

755 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Caldwell, Chang, Karamatsu, Lee, M. Oshiro, Chong, Say and Yamashita.

756 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representative Caldwell.

757 "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES."

Introduced by: Representatives Caldwell, B. Oshiro, Karamatsu and Say.

758 "A BILL FOR AN ACT RELATING TO EMPLOYEES."

Introduced by: Representatives Caldwell and Say.

759 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Caldwell, B. Oshiro and Say.

760 "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS."

Introduced by: Representatives Caldwell, B. Oshiro and Say.

761 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Caldwell, B. Oshiro and Say.

762 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Caldwell, B. Oshiro and Say.

763 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."

Introduced by: Representatives Caldwell, B. Oshiro and Say.

764 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representative Caldwell.

765 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representatives Caldwell, B. Oshiro and Say.

766 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representatives Caldwell, Carroll, Chang, Waters, Chong, Karamatsu, B. Oshiro, Say and Souki.

767 "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION."

Introduced by: Representatives Chang, B. Oshiro, Yamane, Carroll, Chong, Herkes, Karamatsu, Say, Souki and Yamashita.

768 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Representatives Caldwell, Herkes, B. Oshiro, Carroll, Chang, Karamatsu, Lee and Souki.

769 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representatives Caldwell, Chang, Herkes, B. Oshiro, Carroll, Karamatsu, Lee and Souki.

770 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representatives Caldwell, Herkes, B. Oshiro, Carroll, Karamatsu, Lee and Souki.

771 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Caldwell.

772 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representative Caldwell.

773 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES FUNDING."

Introduced by: Representative Caldwell.

774 "A BILL FOR AN ACT RELATING TO CEMETERY AUTHORITIES."

Introduced by: Representatives Caldwell, B. Oshiro, Carroll, Chang, Chong, Karamatsu, Say, Souki and Waters.

775 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."

Introduced by: Representatives Chong, Ito and Manahan.

776 "A BILL FOR AN ACT RELATING TO TICKET SALES."

Introduced by: Representatives Har, Chang, Evans, Karamatsu, Lee, McKelvey, Mizuno, M. Oshiro, B. Oshiro, Tsuji, Belatti, Berg, Bertram, Hanohano and Takumi.

777 "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM."

Introduced by: Representatives Har, Awana, Belatti, Berg, Chang, Evans, Hanohano, Ito, Karamatsu, Manahan, McKelvey, Mizuno, Nishimoto, B. Oshiro, Tokioka, Waters, Brower, Lee, Takumi, Tsuji and Yamashita.

778 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Har, Awana, Evans, Hanohano, Ito, Manahan, McKelvey, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Waters, Belatti, Berg, Brower, Chang, Karamatsu, Lee, Takumi, Tsuji and Yamashita.

779 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Har, Awana, Karamatsu, McKelvey, Pine and Shimabukuro.

780 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Yamashita, Karamatsu, Tsuji, Chong, Manahan, Nakasone, Say and Yamane.

781 "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND."

Introduced by: Representatives Yamashita, Chong, Karamatsu, Nakasone, Say and Yamane.

782 "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK."

Introduced by: Representatives Meyer, Awana, Cabanilla, Ito, Marumoto, Pine and Ward.

783 "A BILL FOR AN ACT RELATING TO DRIVER LICENSES."

Introduced by: Representatives Meyer, Awana, Marumoto and Ward.

784 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representatives Meyer, Cabanilla, Marumoto, Awana, Ching, Evans and Ward.

785 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Meyer, Awana, Cabanilla, Ching, Marumoto, Pine, Ito and Ward.

786 "A BILL FOR AN ACT RELATING TO PARENTAL NOTIFICATION BEFORE AN ABORTION MAY BE PERFORMED ON CERTAIN MINORS."

Introduced by: Representatives Meyer, Ching, Pine and Ward.

787 "A BILL FOR AN ACT RELATING TO ABORTION."

Introduced by: Representatives Meyer, Awana, Ching, Pine and Ward.

788 "A BILL FOR AN ACT RELATING TO PARENTAL CONSENT BEFORE AN ABORTION MAY BE PERFORMED ON A MINOR."

Introduced by: Representatives Meyer, Awana, Cabanilla, Ching, Pine and Ward.

789 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO PROVIDE FOR INITIATIVE, REFERENDUM, AND RECALL."

Introduced by: Representatives Meyer, Awana, Bertram, Cabanilla, Marumoto, Pine, Ward and Ito.

790 "A BILL FOR AN ACT RELATING TO ALCOHOL FUELS."

Introduced by: Representatives Meyer, Awana, Brower, Cabanilla, Marumoto, Pine, Ward and Ito.

791 "A BILL FOR AN ACT RELATING TO GASOLINE."

Introduced by: Representatives Meyer, Brower, Marumoto, Awana, Cabanilla, Evans, Pine and Ward.

792 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Meyer, Cabanilla, Awana, Brower, Evans and Ward.

793 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Mizuno.

794 "A BILL FOR AN ACT RELATING TO THE PROHIBITION OF FUNDRAISERS OR FUNDRAISING ACTIVITY WHILE THE LEGISLATURE IS IN SESSION."

Introduced by: Representative Mizuno, by request, .

795 "A BILL FOR AN ACT RELATING TO CAREGIVERS."

Introduced by: Representatives Ward, Brower, Marumoto, Pine, Bertram, Ching and Meyer.

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

Introduced by: Representatives Ward, Brower, Marumoto, Belatti, Bertram, Meyer and Pine.

797 "A BILL FOR AN ACT RELATING TO RESTRICTIONS ON CAMPAIGN CONTRIBUTIONS."

Introduced by: Representatives Ward, Bertram and Meyer.

798 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTIONS 2 AND 3 OF THE HAWAII CONSTITUTION TO CREATE ELECTED DISTRICT SCHOOL BOARDS."

Introduced by: Representatives Ward, Bertram, Ching and Meyer.

799 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representatives Ward, Bertram, Marumoto, Meyer and Pine.

800 "A BILL FOR AN ACT RELATED TO THEFT."

Introduced by: Representatives Ward, Brower, Ching, Har, Marumoto, Meyer, Pine and Bertram.

801 "A BILL FOR AN ACT RELATING TO AN INCREASE IN THE STANDARD DEDUCTION."

Introduced by: Representative Ward.

802 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT PROGRAMS."

Introduced by: Representatives Ward, Ching, Finnegan, Meyer, Pine, Rhoads, Sonson, Takai, Bertram and Brower.

803 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BOOKS FOR PUBLIC LIBRARIES."

Introduced by: Representatives Ward, Ching, Finnegan, Rhoads, Sonson, Bertram, Brower, Meyer and Pine.

804 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Representative Ward.

805 "A BILL FOR AN ACT RELATING TO SAFETY."

Introduced by: Representative Ward.

806 "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY."

Introduced by: Representatives Mizuno, Awana, Brower, Ching, Finnegan, Hanohano, Meyer, Pine, Sonson, Thielen, Ward, Bertram, Carroll and Rhoads.

807 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Mizuno, Awana, Carroll, Ching, Finnegan, Hanohano, Meyer, Pine, Sonson, Thielen, Ward, Bertram, Brower and Rhoads.

808 "A BILL FOR AN ACT RELATING TO LONG TERM CARE."

Introduced by: Representatives Mizuno, Awana, Brower, Ching, Finnegan, Hanohano, Pine, Sonson, Thielen, Bertram, Carroll and Rhoads.

809 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION."

Introduced by: Representatives Mizuno, Awana, Ching, Hanohano, Pine, Sonson, Thielen, Bertram, Brower, Carroll, Rhoads and Ward.

810 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAPIOLANI COMMUNITY COLLEGE'S LONG-TERM CARE RESOURCE PROGRAM TO TRAIN AND EDUCATE HAWAII'S ELDERCARE WORKFORCE."

Introduced by: Representatives Mizuno, Awana, Brower, Carroll, Ching, Finnegan, Hanohano, Meyer, Pine, Sonson, Thielen, Ward, Bertram and Rhoads.

811 "A BILL FOR AN ACT RELATING TO ADULT PROTECTION."

Introduced by: Representatives Mizuno, Awana, Ching, Finnegan, Hanohano, Thielen, Bertram, Carroll and Meyer.

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

Introduced by: Representatives Mizuno, Awana, Brower, Ching, Hanohano, Pine, Sonson, Thielen, Ward and Carroll.

813 "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE."

Introduced by: Representatives Mizuno, Ching, Finnegan, Pine, Sonson, Thielen, Awana, Bertram, Brower, Carroll and Hanohano.

814 "A BILL FOR AN ACT RELATING TO AGING."

Introduced by: Representatives Mizuno, Awana, Carroll, Finnegan, Hanohano, Pine, Sonson, Thielen, Ward, Bertram, Ching and Rhoads.

815 "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."

Introduced by: Representatives Mizuno, Awana, Carroll, Ching, Finnegan, Hanohano, Sonson, Thielen, Ward, Bertram, Meyer and Rhoads.

816 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Representatives Mizuno, Awana, Carroll, Ching, Hanohano, Rhoads, Sonson, Thielen, Ward and Bertram.

817 "A BILL FOR AN ACT RELATING TO SAGE PLUS."

Introduced by: Representatives Mizuno, Awana, Carroll, Ching, Finnegan, Hanohano, Sonson, Thielen, Ward, Bertram and Rhoads.

818 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Mizuno, Awana, Carroll, Ching, Finnegan, Hanohano, Pine, Sonson, Thielen, Bertram, Rhoads and Ward.

819 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Mizuno, Awana, Carroll, Ching, Finnegan, Hanohano, Meyer, Pine, Sonson, Thielen, Ward, Bertram, Brower and Rhoads.

820 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Mizuno, Awana, Brower, Ching, Finnegan, Hanohano, Meyer, Pine, Sonson, Thielen, Ward, Bertram, Carroll and Rhoads.

821 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Lee, Awana, Brower, Carroll, Ching, Finnegan, Hanohano, Mizuno, Pine, Sonson, Thielen, Bertram and Rhoads.

822 "A BILL FOR AN ACT RELATING TO FAMILY CAREGIVERS."

Introduced by: Representatives Lee, Awana, Brower, Ching, Finnegan, Hanohano, Mizuno, Pine, Sonson, Thielen, Ward, Bertram, Carroll, Manahan and Rhoads.

823 "A BILL FOR AN ACT RELATING TO FAMILY CAREGIVING."

Introduced by: Representatives Lee, Awana, Brower, Ching, Finnegan, Hanohano, Meyer, Mizuno, Pine, Sonson, Thielen, Bertram, Carroll and Rhoads.

824 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Lee, Bertram, Brower, Ching, Finnegan, Hanohano, Mizuno, Pine, Sonson, Ward and Carroll.

825 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Lee, Awana, Brower, Ching, Hanohano, Mizuno, Pine, Sonson, Thielen, Bertram, Carroll and Rhoads.

826 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Lee, Bertram, Carroll, Ching, Finnegan, Hanohano, Mizuno, Pine, Sonson and Ward.

827 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Representatives Lee, Awana, Brower, Carroll, Ching, Finnegan, Hanohano, Meyer, Mizuno, Pine, Sonson, Thielen, Ward, Bertram and Rhoads.

828 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Representatives Lee, Awana, Carroll, Ching, Finnegan, Hanohano, Meyer, Mizuno, Pine, Sonson, Thielen, Ward and Bertram.

829 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Lee, Awana, Brower, Carroll, Ching, Finnegan, Hanohano, Meyer, Mizuno, Pine, Rhoads, Sonson, Thielen, Ward, Bertram and Manahan.

830 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Lee, Bertram, Carroll, Ching, Finnegan, Hanohano, Mizuno, Pine and Sonson.

831 "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS."

Introduced by: Representatives Magaoay, Cabanilla, Evans, Finnegan, Herkes, Ito, Karamatsu, Manahan, McKelvey, Mizuno, Pine, Sagum, Sonson, Berg and Chang.

832 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Magaoay, Berg, Cabanilla, Chang, Herkes, Ito, Karamatsu, Lee, Morita, Pine, Sonson, Yamane, Belatti, Bertram, Finnegan, Manahan, Mizuno, Rhoads and Sagum.

833 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representatives Sonson, Cabanilla, Karamatsu, Belatti, Finnegan, Herkes, Ito, Magaoay, Manahan, Mizuno, Sagum and Souki.

834 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Sonson, Cabanilla, Chang, Finnegan, Herkes, Ito, Karamatsu, Magaoay, Manahan, Mizuno, Pine, Sagum and Yamane.

835 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Magaoay, Berg, Cabanilla, Finnegan, Ito, Karamatsu, Manahan, Pine, Sagum, Sonson and Mizuno.

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

Introduced by: Representatives Sonson, Belatti, Berg, Cabanilla, Chang, Finnegan, Herkes, Karamatsu, Magaoay, Mizuno, Pine, Sagum, Yamane and Ito.

837 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Magaoay, Evans, Hanohano, Ito, Mizuno, Sonson, Chong, Herkes, Manahan and McKelvey.

838 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Representatives Magaoay, Chang, Chong, Evans, Karamatsu, Manahan, Mizuno, M. Oshiro, Sonson, Har, Herkes, Lee, McKelvey, Rhoads and Yamashita.

839 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES."

Introduced by: Representatives Magaoay, Chong, Herkes, Ito, Karamatsu, Lee, Morita, M. Oshiro, Chang, Evans, Manahan, Mizuno, Sonson and Yamane.

840 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives Magaoay, Chang, Evans, Herkes, Mizuno, Chong, Karamatsu, Lee, and M. Oshiro.

841 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representatives Magaoay, Chong, Herkes, Ito, Lee, Morita, M. Oshiro, Sonson, Chang, Evans, Karamatsu, Manahan, Mizuno and Yamane.

842 "A BILL FOR AN ACT RELATING TO LEGISLATIVE ACCESS."

Introduced by: Representatives Magaoay, Chang, Chong, Evans, Herkes, Karamatsu, Sonson, Yamashita, and M. Oshiro.

843 "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL."

Introduced by: Representatives Magaoay, Chang, Herkes, Ito, Karamatsu, Sonson, Chong, Evans, Lee, Manahan, Mizuno, M. Oshiro, Say, Yamane and Yamashita.

844 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF REAL PROPERTY IN WAHIAWA, OAHU."

Introduced by: Representatives Magaoay, Chong, Evans, Herkes, Ito, Karamatsu, Lee, Manahan, Mizuno, Yamane, Yamashita, Chang and Morita.

845 "A BILL FOR AN ACT RELATING TO SHARK FEEDING."

Introduced by: Representatives Magaoay, Chong, Evans, Herkes, Ito, Manahan, McKelvey, Mizuno, Morita, M. Oshiro, Sonson, Yamashita, Karamatsu and Lee.

846 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST IN CONSTRUCTING AND MAKING IMPROVEMENTS TO THE AGRICULTURAL IRRIGATION SYSTEMS ON THE NORTH SHORE OF THE ISLAND OF OAHU."

Introduced by: Representatives Magaoay, Chang, Chong, Ito, Karamatsu, Lee, Manahan, Mizuno, Morita, M. Oshiro, Yamane, Yamashita, Evans and Herkes.

847 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Magaoay, Hanohano, Mizuno, Sonson, Chang, Chong, Har, Herkes, Karamatsu, Manahan, Rhoads, Yamane and Yamashita.

848 "A BILL FOR AN ACT RELATING TO VOTING BY MAIL."

Introduced by: Representatives Sonson, Bertram, Mizuno, B. Oshiro, Ito, Magaoay and Souki.

849 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representatives Sonson, Cabanilla, Manahan, Mizuno, Berg, Herkes, Ito, Magaoay, M. Oshiro and Souki.

850 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Sonson, Caldwell, Evans, Ito, Magaoay, Manahan, Mizuno, B. Oshiro and Souki.

851 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Sonson, Cabanilla, Chang, Karamatsu, Mizuno, Rhoads, Berg, Carroll, Evans, Green, McKelvey, Morita, M. Oshiro, Souki, Tsuji and Wakai.

852 "A BILL FOR AN ACT RELATING TO THE EMPLOYEE RETIREMENT SYSTEM."

Introduced by: Representatives Sonson, Caldwell, Chang, Ito, Lee, Magaoay, Mizuno, B. Oshiro and Souki.

853 "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS."

Introduced by: Representatives Sonson, Caldwell, Chong, Magaoay, M. Oshiro, Belatti, Berg, Bertram, Cabanilla, Chang, Green, Herkes, Karamatsu, Lee, Manahan, McKelvey, Mizuno, Morita, Nishimoto, Rhoads, Souki, Tsuji and Wakai.

854 "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES."

Introduced by: Representatives Sonson, Caldwell, Chong, Magaoay, Meyer, M. Oshiro, Pine, Bertram, Herkes, Lee, Manahan, McKelvey, Nishimoto, Souki and Tsuji.

855 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Caldwell, Lee, M. Oshiro, Berg, Bertram, Cabanilla, Chong, Evans, Herkes, Magaoay, Manahan, Souki, Tsuji and Yamashita.

856 "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION."

Introduced by: Representatives Sonson, M. Oshiro, Bertram, Caldwell, Chong, Evans, Herkes, Lee, Magaoay, Manahan, McKelvey and Souki.

857 "A BILL FOR AN ACT RELATING TO APPRENTICESHIPS."

Introduced by: Representatives Sonson, Bertram, Caldwell, Chong, Evans, Herkes, Lee, Magaoay, Manahan, McKelvey, Nishimoto, M. Oshiro, Souki, Tsuji and Yamashita.

858 "A BILL FOR AN ACT RELATING TO MEAL BREAKS."

Introduced by: Representatives Sonson, M. Oshiro, Berg, Bertram, Caldwell, Chong, Lee, Magaoay, Meyer, Nishimoto, Pine, Souki and Tsuji.

859 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Representatives Sonson, Caldwell, Chong, Magaoay, M. Oshiro, Berg, Bertram, Herkes, Lee, McKelvey and Tsuji.

860 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives Sonson, Lee, Bertram, Caldwell, Chong, Herkes, Magaoay, McKelvey, M. Oshiro, Souki and Tsuji.

861 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representatives Sonson, Caldwell, Chong, Lee, Magaoay, M. Oshiro, Berg, Bertram, Evans, Herkes, Manahan, Nishimoto and Souki.

862 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES."

Introduced by: Representatives Sonson, Caldwell, Chong, Lee, Magaoay, M. Oshiro, Bertram, Herkes, Manahan, Souki and Tsuji.

863 "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS."

Introduced by: Representatives Sonson, Caldwell, Hanohano, Lee, Magaoay, Belatti, Bertram, Brower, Chang, Chong, Evans, Herkes, Manahan, McKelvey, Mizuno, Nishimoto, M. Oshiro, Souki, Tokioka, Tsuji, Wakai and Yamashita.

864 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Sonson, Magaoay, M. Oshiro and Souki.

865 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives Sonson, Belatti, Berg, Ito, Magaoay, Manahan, Mizuno, B. Oshiro and Pine.

866 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Mizuno, Ito, Magaoay, Manahan, B. Oshiro and Pine.

867 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."

Introduced by: Representatives Sonson, Mizuno, Ito, Magaoay and Pine.

868 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."

Introduced by: Representatives Sonson, Ito, Magaoay, Manahan and Mizuno.

869 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES."

Introduced by: Representatives Morita, Sagum and Thielen.

870 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU."

Introduced by: Representatives Morita, Carroll and Say.

871 "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS."

Introduced by: Representatives Morita, Carroll and Say.

872 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Morita, Carroll and Say.

873 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Carroll and Say.

874 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY TRAINING CENTER."

Introduced by: Representative Evans.

875 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

876 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

877 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

878 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

879 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

880 "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDIT."

Introduced by: Representatives Belatti, Berg, Carroll, Lee, Luke, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Sonson, Takumi, Wakai, Bertram, Brower, Chong, Herkes, Souki and Tsuji.

881 "A BILL FOR AN ACT RELATING TO COST OF LIVING ADJUSTMENTS TO INCOME TAX RATES AND STANDARD DEDUCTION AND PERSONAL EXEMPTION AMOUNTS."

Introduced by: Representatives Belatti, Berg, Carroll, Luke, Morita, Nishimoto, B. Oshiro, Saiki, Sonson, Takumi, Wakai, Bertram, Brower, Har, Herkes, Lee, Mizuno, M. Oshiro, Rhoads and Souki.

882 "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS ACCOUNT PROGRAM."

Introduced by: Representatives Belatti, Berg, Cabanilla, Chang, Lee, Luke, Mizuno, Morita, B. Oshiro, Shimabukuro, Bertram, Brower, Carroll, Chong, Har, Herkes, Nishimoto, M. Oshiro, Saiki, Sonson, Souki, Tsuji and Wakai.

883 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Representatives Belatti, Sonson, Bertram, Cabanilla, Carroll, Chong, Har, Herkes, Mizuno, M. Oshiro, Rhoads and Souki.

884 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Representatives Belatti, Cabanilla, Chong, M. Oshiro, Bertram and Mizuno.

885 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representatives Belatti, Berg, Cabanilla, Mizuno, Morita, Nishimoto, Rhoads, Sonson, Wakai, Bertram, Brower, Chong, Har, Lee, Luke, B. Oshiro, M. Oshiro and Souki.

886 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representatives Belatti, Berg, Bertram, Cabanilla, Morita, B. Oshiro, Rhoads, Sonson, Chong, Har, Lee, Luke, Mizuno, and M. Oshiro.

887 "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION."

Introduced by: Representative Waters.

888 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representative Waters.

889 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representative Waters.

890 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Waters.

891 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Representative Waters.

892 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representative Waters.

893 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Souki, by request.

894 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES."

Introduced by: Representatives Souki, Luke, McKelvey, Nishimoto, Sonson, Evans, Har, Lee, Nakasone and Takumi.

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

Introduced by: Representatives Souki, Lee, Luke, McKelvey, Nishimoto, Evans, Har, Nakasone, Sonson and Takumi.

896 "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM."

Introduced by: Representative Karamatsu.

897 "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET."

Introduced by: Representative Karamatsu.

898 "A BILL FOR AN ACT RELATING TO FIXED GUIDEWAY STATION ENTERPRISE ZONES."

Introduced by: Representatives Karamatsu, Chang, Caldwell, Carroll, Say and Souki.

899 "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION."

Introduced by: Representatives Tsuji, Evans, Karamatsu, Magaoay, Brower, Chong and Yamashita.

900 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Chong, Evans, Karamatsu, Magaoay and Yamashita.

901 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAXATION."

Introduced by: Representatives Tsuji, Brower, Karamatsu and Chong.

902 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAX CREDITS."

Introduced by: Representatives Tsuji, Brower, Karamatsu and Chong.

903 "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES."

Introduced by: Representative Say.

904 "A BILL FOR AN ACT RELATING TO COUNTY INFRASTRUCTURE CAPACITY CONSTRUCTION FINANCING."

Introduced by: Representative Say.

905 "A BILL FOR AN ACT RELATING TO LEASEHOLDS."

Introduced by: Representative Say.

906 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say.

907 "A BILL FOR AN ACT RELATING TO CIVIL UNIONS."

Introduced by: Representatives Say and B. Oshiro.

908 "A BILL FOR AN ACT RELATING TO CIVIL UNION."

Introduced by: Representatives Say and B. Oshiro.

909 "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTEREST."

Introduced by: Representative Say, by request.

910 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Representative Say, by request.

911 "A BILL FOR AN ACT RELATING TO TIME SHARE ZONING."

Introduced by: Representative Say, by request.

912 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR POULI ROAD CONNECTOR IMPROVEMENTS, BALL FIELD AND RECREATIONAL FACILITY LIGHT SYSTEM RETROFITTING, AND ERADICATION OF THE COQUI FROG."

Introduced by: Representative Say, by request.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 8 through 14) and concurrent resolutions (H.C.R. Nos. 7 through 27) were referred to Printing and further action was deferred:

H.R. No. 8, entitled: "HOUSE RESOLUTION EXPRESSING CONCERN OVER HUMAN RIGHTS ABUSE AND PERSECUTION AGAINST MEMBERS AND SUPPORTERS OF THE FALUN GONG IN CHINA," was offered by Representative Saiki.

H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE PROCEDURES, IF ANY, THAT OTHER STATES AND JURISDICTIONS UTILIZE TO REVIEW THE DEVELOPMENT OF PROPOSED NEW MAJOR HEALTH CARE FACILITIES," was jointly offered by Representatives Bertram, McKelvey, Pine, Awana, Evans, Hanohano, Manahan, Mizuno, Rhoads and Ward.

H.R. No. 10, entitled: "HOUSE RESOLUTION EXTENDING SUPPORT FOR THE PROPOSED MALULANI PRIVATELY DEVELOPED SECOND HOSPITAL FOR MAUI COUNTY," was jointly offered by Representatives Bertram, Pine, Awana, Evans, Hanohano, Mizuno, Sagum and Ward.

H.R. No. 11, entitled: "HOUSE RESOLUTION URGING THE HAWAII STATE LEGISLATURE AND THE GOVERNOR TO RESPECT CHILDREN'S RIGHTS WHEN ENACTING LEGISLATION RELATED TO CHILDREN," was jointly offered by Representatives Mizuno, Awana, Cabanilla, Ching, Finnegan, Green, Manahan, Marumoto, Shimabukuro, Thielen, Bertram, Brower and Sonson.

H.R. No. 12, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO STUDY WHETHER TO LICENSE TOUR GUIDES TO ENSURE GUIDES HAVE AN ADEQUATE LEVEL OF KNOWLEDGE OF HAWAIIAN HISTORY AND CULTURE," was jointly offered by Representatives Carroll, Evans, Nishimoto, B. Oshiro, Bertram, Brower, Cabanilla, Caldwell, Herkes, Ito, Karamatsu, Lee, Morita, Rhoads, Say, Sonson, Waters and Yamashita.

H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE CHILDCARE AND ELDERCARE COMMUNITIES TO ACKNOWLEDGE THE UNIQUE CIRCUMSTANCES OF GRANDPARENTS RAISING GRANDCHILDREN BY SUPPORTING POLICIES AND SERVICES THAT ARE CONDUCIVE TO THAT FAMILIAL RELATIONSHIP," was jointly offered by Representatives Mizuno, Awana, Carroll, Finnegan, Hanohano, Meyer, Thielen, Ward and Rhoads.

H.R. No. 14, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS TO PROMOTE AWARENESS OF FAMILY CAREGIVING NEEDS IN THE DESIGN OF NEW RESIDENCES," was jointly offered by Representatives Lee, Bertram, Carroll, Hanohano and Finnegan.

H.C.R. No. 7, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING CONCERN OVER HUMAN RIGHTS ABUSE AND PERSECUTION AGAINST MEMBERS AND SUPPORTERS OF THE FALUN GONG IN CHINA," was offered by Representative Saiki.

H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE PROCEDURES, IF ANY, THAT OTHER STATES AND JURISDICTIONS UTILIZE TO REVIEW THE DEVELOPMENT OF PROPOSED NEW MAJOR HEALTH CARE FACILITIES," was jointly offered by Representatives Bertram, McKelvey, Pine, Awana, Chong, Evans, Hanohano, Manahan, Mizuno, Rhoads and Ward.

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING SUPPORT FOR THE PROPOSED MALULANI PRIVATELY DEVELOPED SECOND HOSPITAL FOR MAUI COUNTY," was jointly offered by Representatives Bertram, Pine, Awana, Evans, Hanohano, Mizuno, Rhoads, Sagum and Ward.

H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND THE COUNCIL OF MAUI COUNTY TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was jointly offered by Representatives Bertram, Awana, Evans, Hanohano, McKelvey, Mizuno, Sonson, Takamine and Takumi.

H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII STATE LEGISLATURE AND THE GOVERNOR TO RESPECT CHILDREN'S RIGHTS WHEN ENACTING LEGISLATION RELATED TO CHILDREN," was jointly offered by Representatives Mizuno, Bertram, Ching, Finnegan, Manahan, Marumoto, Shimabukuro, Thielen, Awana, Brower, Cabanilla, Green, Meyer and Sonson.

H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT POLICIES TO PREVENT THE TRANSFER OF INCARCERATED PARENTS OF MINOR CHILDREN TO CORRECTIONAL FACILITIES ON THE MAINLAND," was jointly offered by Representatives Mizuno, Awana, Bertram, Belatti, Evans, Meyer, Shimabukuro, Thielen, Tokioka, Brower, Cabanilla, Manahan, Rhoads and Sonson.

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO WORK WITH APPROPRIATE ENTITIES TO EXTEND THE LENGTH OF THE SCHOOL DAY TO ACCOMMODATE INCREASED PHYSICAL EDUCATION, ART, AND MUSIC REQUIREMENTS," was jointly offered by Representatives Mizuno, Awana, Bertram, Ching, Evans, Marumoto, Meyer, Shimabukuro, Thielen, Waters, Cabanilla, Finnegan, Manahan and Sonson.

H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES," was jointly offered by Representatives Mizuno, Green, Meyer, Tokioka, Awana, Manahan, Marumoto, Shimabukuro, Sonson, Thielen and Waters.

H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY CUSTODY EVALUATOR TRAINING MODELS APPLIED BY OTHER JURISDICTIONS," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES ON HUMAN SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO CONVENE A TASK FORCE DURING THE INTERIM TO FURTHER STUDY AND MAKE RECOMMENDATIONS REGARDING FAMILY COURT CUSTODY EVALUATOR ISSUES," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO IMPLEMENT A PILOT FAMILY COURT PARENTING PLAN MODEL PROGRAM IN THE FIRST CIRCUIT FAMILY COURT," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO ASSESS THE FAMILY COURT'S HANDLING OF DOMESTIC VIOLENCE MATTERS IN THE FIRST CIRCUIT FAMILY COURT," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY JOINT OR SHARED PHYSICAL AND LEGAL CUSTODY PRESUMPTIONS IN FAMILY LAW AS ENACTED AND APPLIED BY OTHER JURISDICTIONS," was offered by Representative Sonson.

H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES ON HUMAN SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO CONVENE ONE OR MORE TASK FORCES DURING THE INTERIM TO FURTHER STUDY AND MAKE RECOMMENDATIONS REGARDING ISSUES IDENTIFIED BY THE FAMILY COURT MODELS COMMITTEE," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES ON HUMAN SERVICES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO CONVENE A TASK FORCE DURING THE INTERIM TO FURTHER STUDY AND MAKE RECOMMENDATIONS REGARDING ISSUES IDENTIFIED BY THE TEMPORARY RESTRAINING ORDERS COMMITTEE," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES ON HUMAN SERVICES AND THE COMMITTEES ON JUDICIARY OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO RECONVENE THE SCR 52 TASK FORCE TO FURTHER STUDY RECOMMENDATIONS MADE BY THE SCR 52 TASK FORCE COMMITTEES," was jointly offered by Representatives Sonson and Shimabukuro.

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO STUDY WHETHER TO LICENSE TOUR GUIDES TO ENSURE GUIDES HAVE AN ADEQUATE LEVEL OF KNOWLEDGE OF HAWAIIAN HISTORY AND CULTURE," was jointly offered by Representatives Carroll, Cabanilla, Evans, McKelvey, Nishimoto, Say, Sonson, Bertram, Brower, Caldwell, Herkes, Ito, Karamatsu, Lee, Morita, Rhoads, Souki, Wakai, Waters and Yamashita.

H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING DISAPPROVAL WITH FEDERAL ENFORCEMENT OF EXECUTIVE ORDER 12898 CONCERNING ENVIRONMENTAL JUSTICE," was jointly offered by Representatives Carroll, Evans, Morita, Rhoads, Sonson, Takumi, Waters, Yamane, Bertram, Brower, Cabanilla, Caldwell, Chang, Herkes, Ito, Karamatsu, Lee, McKelvey, Nishimoto, B. Oshiro, Souki, Wakai and Yamashita.

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CHILDCARE AND ELDERCARE COMMUNITIES TO ACKNOWLEDGE THE UNIQUE CIRCUMSTANCES OF GRANDPARENTS RAISING GRANDCHILDREN BY SUPPORTING POLICIES AND SERVICES THAT ARE CONDUCIVE TO THAT FAMILIAL RELATIONSHIP," was jointly offered by Representatives Mizuno, Awana, Carroll, Ching, Finnegan, Hanohano, Meyer, Pine, Thielen, Bertram, Brower, Rhoads and Sonson.

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS TO PROMOTE AWARENESS OF FAMILY CAREGIVING NEEDS IN THE DESIGN OF NEW RESIDENCES," was jointly offered by Representatives Lee, Ching, Hanohano, Sonson, Ward, Bertram, Brower, Carroll, Finnegan and Mizuno.

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH COUNTY TO EXAMINE ITS CURRENT ZONING LAWS, BUILDING CODES, AND SUBDIVISION REQUIREMENTS AND ELIMINATE ENCUMBRANCES TO FAMILY CAREGIVING AND AGING IN PLACE," was jointly offered by Representatives Lee, Awana, Brower, Carroll, Ching, Finnegan, Hanohano, Mizuno, Sonson, Thielen, Ward, Bertram, Manahan and Rhoads.

ANNOUNCEMENTS

The Chair then announced:

"The Chair would like to announce that you have a Committee Referral Sheet that was done over the weekend referring up to H.B. 415 so the Chairs of the respective Subject Committees will have the opportunity to start planning their hearings."

Representative Caldwell: "Mr. Speaker, there will be a brief Majority caucus after adjournment. Thank you."

Representative Meyer: "The Minority will also have a brief caucus. Thank you."

The Chair then announced:

This House will stand in recess for the purpose of convening in a Joint Session in this Chamber at 10:00 a.m. We will convene on Wednesday, January 24th, 9:00 a.m., to be addressed by the Chief Justice in the Senate Chambers at 10:00 a.m."

At 9:06 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 2, met in Joint Session with the Senate, to receive the Governor's State of the State Address.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Fourth Legislature was called to order at 10:01 o'clock a.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker then welcomed and recognized the following honored guests:

Lt. Governor James R. Aiona, Jr., who was presented a lei by Representative Marilyn B. Lee, and Mrs. Vivian Aiona, who was presented a lei by Senator David Y. Ige;

Chief Justice Ronald T.Y. Moon, who was presented a lei by Senator Donna Mercado Kim;

Trustee Haunani Apoliona, Chair, Office of Hawaiian Affairs, who was presented a lei by Representative Tommy Waters;

Lieutenant General John M. Brown, III, Commanding General, U.S. Army Pacific;

Rear Admiral Sally Brice-O'hara, Commander, 14th Coast Guard District;

Rear Admiral John Bird, US Pacific Fleet;

Brigadier General Tanker Snyder, U.S. Air Force;

Associate Supreme Court Justice Paula Nakayama, Hawaii State Supreme Court;

Associate Justice Simeon Acoba, Jr., Hawaii State Supreme Court;

Associate Justice Steven H. Levinson, Hawaii State Supreme Court;

Associate Justice James E. Duffy, Jr., Hawaii State Supreme Court;

Mayor Harry Kim, County of Hawaii;

Mayor Bryan J. Baptiste, County of Kauai;

Mayor Charmaine Tavares, County of Maui;

Council Chair Bill "Kaipo" Asing, County of Kauai;

Council Chair Riki Hokama, County of Maui

Council Chair Barbara Marshall, City and County of Honolulu;

Former Governor George Ariyoshi;

Mrs. John Waihee and Mr. John Waihee IV;

Mrs. Benjamin J. Cayetano;

Honorary Counsel John Henry Felix, Dean, Consular Corps of Hawaii; and

Counsel General John Quinn, Vice Dean, Consular Corps of Hawaii.

The Speaker then asked Representatives Karamatsu, Caldwell and Finnegan, and Senators Kim, Hooser and Hemmings to escort the Honorable Linda Lingle to the rostrum.

The Governor was presented with leis by Representative M. Oshiro on behalf of the House of Representatives, and Senator Ihara on behalf of the Senate. The Speaker then presented to the Members of the Twenty-Fourth Legislature and the audience, the Honorable Linda Lingle, Governor of the State of Hawaii.

The Honorable Linda Lingle, Governor of the State of Hawaii address the Legislature assembled in Joint Session as follows:

"Thank you very much. Madam President, Mr. Speaker, Lt. Governor and Mrs. Aiona, Members of the Legislature, Chief Justice Moon and members of the State Supreme Court, Chair Apoliona, Cabinet members, mayors, military leaders, members of the Counselor Corps, distinguished guests, and to all the people of Hawaii, good morning and aloha.

"It is a great honor to address once again, a joint gathering of the State House and Senate, as well as all the people of Hawaii, to share with you my honest assessment of where we stand, paint a vision for the future, and outline the steps I think we should take to get there.

"It is important for us to have a concrete understanding of where we want to go. Without this common vision, it will be too easy to get off track and stumble on our pathway to the future. I believe there is a broad public consensus about where we should be heading and I believe this consensus has grown stronger over time.

"We all want a higher standard of living for ourselves and our children, and we want to preserve everything that makes Hawaii unique, especially our cultural and natural resources, and our sense of *ohana*.

"We want Hawaii's young people to have first-rate educational opportunities, we want affordable housing, state-of-the-art healthcare that is accessible to all, and good paying jobs. But we still want to be able to go fishing at the pier or catch a wave after work, and want the time to talk story with our families and friends.

"To achieve this vision, we have to change or economy from one based on land development, to one fueled by innovation and new ideas generated by our universities and a highly-trained work force.

"Some think it is unrealistic to change our decades-long reliance on land development as the foundation of our economy. Some think it is easier to keep doing what we have been doing. They think it is too hard to change. But hard or not, change will happen.

"The question for us to answer is, 'Will we just let change happen to us in the coming years, or will we create the change we want to see, so that future generations are able to live a good life in Hawaii?'

"One of my guests today is part of that next generation. He captured our imagination here at home and around the world just days ago when he made the cut and then went on to finish tied for 20th among the pros at the Sony Open. Please say hello to Tadd Fujikawa, his parents Lori and Doug, and his grandparents and his great grandma.

"The fundamental change in our economy I have been describing will require the Legislature, my Administration, the county

governments, our schools and universities, businesses and others to share this vision and to work together to make it happen.

"Our $732,000,000 budget surplus can enable us to dramatically reshape our destiny if we make wise choices. Over the last 15 years, the world has been profoundly changed by the development of the internet and other technologies that make it easier for people to communicate with each other and to shift capital around the world.

"People from different countries can work together on the same project in real time. An engineer in India collaborating with a software programmer in California and a banker in China. A person dressed in shorts and slippers can shake the political world with a blog that he writes from his *lanai*.

"States used to be economically strong because it had access to natural resources or sat at the crossroads of railroads, rivers, or other lanes of commerce. Those things will still be important in the coming years, but there are rapidly being eclipsed by the significance of human potential.

"The reality is that the future economic fortunes of our Sstate will be determined by the capabilities and creativity of our people, and by their ability to work and communicate effectively with others around the world.

"No one is better suited than the citizens of Hawaii to work with people from diverse backgrounds in a global economy that will be focused on the Asia-Pacific Region. This is our arena and this is our era.

"But we can't wait for the world to come to us. We must seize the moment or it will pass us by. Before outlining the four principles I believe we must follow in order to achieve success in the global information based economy, let me first offer my definition of success. Simply put, success means producing a constantly rising standard of living for all Hawaii's people by using fewer natural resources, including land, and, to do this, while preserving those aspects of life that make our island home so special.

"The four principles that should underlie our future efforts and decisions are simple, but not easy to achieve. If followed, I believe it will lead to a long-term success.

"First, we need to insure that our workforce has the skills and knowledge required to compete effectively in the 21st century.

"Second, we must create an environment in which innovation, entrepreneurship, and risk taking are encouraged, nurtured and rewarded.

"Third, we need to enable all our citizens, regardless of their economic circumstances, to be fully involved in the digital revelation that is sweeping the world.

"Fourth, we must insure that the basic needs of our citizens, including housing and healthcare are met, and that our cultural and natural resources are protected and enhanced.

"First among the principles, is providing the education and training our citizens need to compete with the best and the brightest from around the world, because that is, above all, what it will take for us to succeed. Educator, Mary Jean LeTendre said it best when she observed, 'America's future walks through the front door of our schools everyday.' I would borrow her quote and add to it, 'Hawaii's future walks through the front doors of our schools and universities each day.'

"Our workforce development plan emphasizes the teaching of science, technology, engineering and math skills. These skills are known collectively as STEM.

"I recently returned from New Hampshire where I participated in the annual kick-off for an extra-curricular teenage robotics program that teaches STEM skills known as the first robotics competition. I spent three days there as a guest of FIRST founder and one of America's most imaginative and best-known inventors, Dean Kamen, who last year was inducted into the National Inventors Hall of Fame.

"Dean is a passionate advocate for teaching America's students STEM skills through first robotic competitions that combine the excitement of sports with science and technology to create what he calls a unique varsity sport for the mind. Hawaii currently has four FIRST Robotics teams – Waiakea, Punahou, McKinley, and Waialua High Schools.

"Some of the FIRST students are with us today. Please welcome students from McKinley High School and their teacher, Osa Tui, and FIRST Waialua High School students and their teacher, Glenn Lee.

"During my visit to New Hampshire, FIRST's lead sponsor, NASA, committed $1,000,000 over the next three years to fund up to 20 Hawaii Robotics teams, as well as a regional competition next March here in Honolulu.

"The students you just recognized, their teachers and the entire Hawaii robotics community are very excited about the regional competition. We are grateful for their participation and leadership to bring this important opportunity to other students all across the State.

"NASA Program Executive for Solar System Exploration, Dave Lavery, explained NASA's support for FIRST this way:

"He said, 'On an individual, personal level, FIRST is having a real impact on the lives of these students and helping them realize what they are capable of. On a national level, we are creating new engineers who will drive the entire future economic engine of the country.'

"Well, I believe whether or not students become engineers or scientists, mastering STEM skills will equip them to contribute in significant ways to a sustainable economy based on innovation.

"Earlier this month, I unveiled a series of specific actions we can take together to make this vision a reality. They include:

Providing students in grades 6-9 with enhanced opportunities to develop STEM skills through hands-on, project-based learning.

Establishing high school STEM academies taught with the help of University of Hawaii community college instructors where students will earn both high school and college credits.

"And for students who successfully complete the STEM curriculum, I am proposing we fund undergraduate scholarships at the University of Hawaii or any other local college or technical school of their choice.

"Whether students study STEM subjects or other fields of study, we need to increase the incentives for parents to save for their children's education. I am proposing that we expand the current State sponsored college savings account plan so that parents can reduce their taxable income by $20,000 per year and use that money to pay for tuition at any Hawaii college, university or technical school.

"Those parts of the world that are thriving in the global economy have several common characteristics, including being anchored by strong universities that produce graduates who excel in science, engineering, and math.

"These universities attract talented people who develop new ideas which can be commercially developed in the surrounding community creating the high-paying jobs that we all seek.

"We already have a higher education anchor here in the University of Hawaii, but its potential for driving the economy has barely been tapped.

"I am proposing that we revamp the way the University transforms research ideas into viable businesses, and I am proposing that we provide funding that, if matched by the private sector, will support three new endowed professorships at UH in STEM disciplines.

"But higher education alone is no longer sufficient to guarantee a prosperous future. In today's world, education cannot stop when someone graduates from school.

"The rapid pace of changing technology in all fields requires companies and their employees to seek frequent upgrade training in order to keep up.

"I am proposing a program for portable, "Life Long Learning Accounts" to enable employees to set aside pre-tax dollars matched by tax-free employer contributions to pay for skills training and educations programs.

"Additionally, I believe it is time to recognize that workforce development fundamentally is part of economic development and should be located in the Department of Business and Economic Development rather than in the Department of Labor.

"The second principle is that innovation, entrepreneurship and risk taking need to be encouraged, nurtured, and rewarded.

"Innovation and risk taking are part of our cultural DNA. The Polynesian voyagers were among the foremost innovators and risk takers of their time, from developing and implementing new transportation technologies to their use of the stars as navigation devices.

"The immigrants who arrived later were also risk-takers, and they too had to innovate to get ahead in life.

"It is not enough for us to encourage today's citizens and businesses to innovate and think big ideas – we in government have to be willing to do the same.

"In that spirit, I am following up on Speaker Say's proposal from last year and proposing to establish a $100,000,000 Hawaii Innovation Fund.

"I am proposing that the State Employee's Retirement System invest $100,000,000 in this professionally managed Fund to finance promising high technology and creative industry companies as an affirmation of our belief in Hawaii's innovative capabilities.

"Too often in recent years, we have seen small high-tech companies reach the edge of profitability only to move elsewhere when they cannot get the funding they need to grow.

"The ERS at $10.5 billion is the State's largest institutional investor and can play a major role in spurring new companies that create high paying jobs here at home, while earning good returns for its beneficiaries.

"These newly created companies, including those focused on life sciences, will need quality incubator facilities, including wet lab space in order to succeed.

"We are proposing to meet this need by partnering with Kamehameha Schools which is planning to build the Asia-Pacific Research Center near the Medical School in Kakaako.

"The State's High Technology Development Corporation would become the Center's master lessee.

"Another way we can spur new industries, including renewable energy research and development, is for the State to purchase the 500-acre land holding that the Navy is on the verge of selling in Kalaeloa.

"After reviewing the land use and ownership patterns on Oahu, we have identified Kalaeloa as the best place to achieve positive economic growth for the Leeward Coast, while repositioning our economy to one based on innovation.

"When ownership of this land is coupled with HCDA's zoning authority, opportunities for workforce housing, innovative technologies and job creation, and other government initiatives can be more readily pursued.

"My staff has had some discussions with the Navy about this proposal and I have had conversations with senior Navy officials, as well. I have also had a brief conversation with U.S. Senator Daniel Inouye about this proposal, and a follow-up conversation with his senior staff about how the Senator can help us achieve our vision for a new economic future for West Oahu.

"I have been encouraged by these initial conversations and will be talking further with both the Senator and the Navy in the days and weeks ahead.

"Two other 'Big Idea' innovations I want to discuss with you today are a 'Digital Media Center' and 'MELE', which stands for Music Enterprise Learning Experience.

"As you know, we have spent millions of tax dollars building and renovating the Diamond Head Studio, granting tax credits for both film and television productions, and funding the Academy of Creative Media Program at UH.

"After all that spending, we remain pretty much just a back-lot for Hollywood and other medial industry centers.

"Hawaii's film and television productions, as well as interactive game development and digital design, are all exciting growth industry areas that could flourish here with the development of local incubator facility that provides a cohesive and integrated site with digital media infrastructure.

"In addition to providing a collaborative learning environment for students, faculty, and professionals, this facility will serve as an incubator for digital media businesses and a research and development lab for the creation of intellectual property.

"I think one of the most exciting pieces of our Innovation Initiative is MELE, a partnership with Honolulu Community College to build a training program and facility for the development of Hawaii's music industry.

"While Hawaii has an unusually high concentration of raw musical talent, we have never fully developed a broad support infrastructure needed to create an industry.

"HCC is developing a partnership with Nashville's Belmont University, one of the premier music and entertainment education programs in the nation. HCC proposes that MELE be developed around three strands – artistic creativity, entertainment business expertise, and technical production skills.

"Belmont University will help jump-start the process by collaborating on joint use of their curriculum, technical facility and equipment specifications, training of local faculty, and dual credit for course offerings in Hawaii.

"HCC students will be able to pursue their bachelor's and master's degrees at Belmont University in Nashville, with internships there, as well as in Los Angeles and New York.

"This development model is based on 40 years of industry experience in Nashville, a music center that has created a $5,000,000,000 industry in country music.

"Nashville's success is based on having both a distinctive music and a unique culture. Hawaii possesses its own distinctive music and one of the world's most unique cultures.

"For a modest $2.7 million investment, Honolulu Community College would be on its way to creating a true music industry for Hawaii that could also become a production magnet for the growing music industry through Asia.

"The third principle we need to adopt is the notion that it is important for all of our citizens to be able to take full advantage of the benefits offered by the digital revolution.

"Pulitzer Prize winning author, Thomas Friedman, in his most recent book, *The World Is Flat*, notes that the internet has leveled the global economic playing field. As a result, opportunities that were once available only to a select few, are available now to anyone, anywhere, with the access to participate in this new borderless society.

"While high-speed broadband access is not the kind of infrastructure we're used to planning for, and connectivity isn't as necessary as food, shelter, clothing, or health care, it is absolutely critical that all the people in Hawaii have affordable internet access in order to participate fully in the 21st century global economy.

"High-speed internet access should not be restricted to those who can afford an expensive broadband connection, nor should out citizens or visitors have to be tethered to a desk in order to communicate across the globe.

"Municipalities across the country are moving to establish wireless internet access, and the City and County of Honolulu has announced a pilot project in Chinatown.

"We need a coordinated approach to ensure that digital democracy becomes a reality in Hawaii, because those without connectivity are falling further and further behind in this new, inter-connected world.

"My Administration will work with the counties and the private sector to establish affordable, wireless internet access everywhere it is feasible by 2010.

"We will begin by establishing wireless service at public libraries across the State, followed by other State buildings, most notably schools.

"If we succeed, Hawaii students will be able to digitally access the best physics instructor in the nation, or watch an art lesson by a renowned painter anywhere in the world.

"These are ambitious goals, and achieving them will require focus and commitment at the highest levels of State government. That is why I am proposing the creation of a Chief Information Technology Officer position to guide this effort.

"The fourth principle recognizes that giving citizens the tools they need to compete in the 21st century economy, increasing their STEM skills, and achieving economic success, will be a fool's choice if we lose the Hawaii that we all cherish.

"Nor will we have succeeded if our citizens' most fundamental needs are unmet and the cost of living rises to a level that forces them to leave Hawaii.

"The recent shame we felt reading about our homeless problem on the front page of the *Wall Street Journal* and in the *New York Times* is an uncomfortable reminder that we can't take our eye off the ball in our efforts to help thousands of our fellow citizens regain their self-sufficiency.

"I want to thank the members of the Legislature for supporting my issuance of an emergency proclamation last year that allowed us to move quickly to address this crisis, and for your ongoing financial support of these efforts.

"I also want to thank the many community organizations, churches, temples, businesses, government agencies and individuals for being such an important part of the solution.

"And I want to give special recognition to my Chief of Staff Bob Awana, Comptroller Russ Saito, and Executive Assistant to the Chairman of the Hawaiian Homes Commission, Kaulana Park for working well outside of their job descriptions on this multi-faceted challenge.

"Together we have made a lot of progress addressing the homeless situation over the last few months. We've opened and emergency shelter in Kakaako, another in Waipahu, and a transitional shelter in Kalaeloa during the past few months.

"And our largest transitional housing project to date is set to open across from the Waianae Civic Center by the end of next month.

"But successfully opening emergency and transitional housing alone will not solve the housing problem. To do this, we must generate many more affordable rental and for-sale housing projects. I am calling for an immediate deposit of $50,000,000 in cash into the Rental Housing Trust Fund, $50,000,000 for the Dwelling Unit Revolving Fund, and another $50,000,000 to repair and renovate public housing projects across the State.

"This money, when leveraged with private funds can result in the development of thousands of additional affordable rental units, as well as, for-sale units.

"Finally, we can attack the problem by funding infrastructure that will open up lands for affordable housing that otherwise would have remained unused.

"One such opportunity exists in Kona, where for an expenditure of $14.4 million dollars to develop a water system, we can create a true partnership between the State's Housing Finance and Development Corporation and the Department of Hawaiian Home Lands to build over 2,600 more affordable homes and rental units.

"These are bold steps, and represent a significant commitment of our State's resources. But they are steps that we must take if we wish to erase the stain of homelessness from our community and ensure that the American dream of home ownership remains alive for our families.

"Housing is a fundamental need of all our citizens. Another is affordable, high-quality and accessible health care.

"We were recently rated the fourth healthiest state in the nation. And while that is a great distinction, the paradox is that our own health care system is itself in nearly critical condition.

"The signs are all around us from the decision of Kahuku Hospital to close its doors, to a lack of emergency room physicians at our major trauma center, to a lack of certain specialists, especially on the neighbor islands.

"This problem is most about the bottom line. High costs and low reimbursements are driving hospitals out of business and physicians out of the practice of medicine.

"We must act now or there might not be an emergency room physician or other medical specialists available when our loved ones need them most.

"I am offering several specific health care proposals.

"First, I am renewing the call for sensible medical malpractice reform based on the California model.

"This proposal ensures that plaintiffs can recover for their actual damages, while putting reasonable limits on so-called non-economic damages. This bill has previously been stalled in Committee, while more hospitals threaten to close, and more doctors leave. We can't afford to wait any longer. We must not let anyone hold up this bill.

"I am asking you to make reasonable medical malpractice reform a priority this Session.

"Second, we must revamp the Certificate of Need process, which is used to determine whether a hospital or other medical facility can be built.

"Just last year, this process resulted in the denial of a request to build a privately-funded state-of-the-art hospital on Maui, a facility that was supported by the majority of Maui citizens.

"We must revise this process so that local communities have the final say in determining which new medical facilities and services to support on their islands.

"And let us join together with our Congressional delegation to work at the national level to increase Medicare rates, the basis for most payments to doctors and hospitals.

"I am also proposing that we pass a "Good Samaritan" law that exempts from lawsuits those doctors who provide medical treatment without compensation except in cases of gross negligence.

"I also ask you to reinstate the Insurance Commissioner's authority to disapprove rates that are excessive, inadequate or unfairly discriminatory. This is the same authority he has to review rates for other lines of insurance.

"Finally, we need to make sure that health insurance is affordable by eliminating tax barriers that have kept competition out of the marketplace and by enabling sole proprietors to obtain the same rates as larger companies.

"A lack of nurses is another health care system deficiency that needs to be addressed.

"We are requesting more funding for the University of Hawaii School of Nursing to increase the number of graduates. And we want to create a nursing specialty in geriatrics to prepare for our increasing aging population.

"Many of these initiatives for housing and healthcare focus on affordability, ensuring that our citizens can afford to live in Hawaii.

"The most direct and immediate way government can address affordability, is by lowering the tax burden on its citizens. I am proposing a substantial, but prudent, $346,000,000 tax relief package.

"Passage of this package will show people all across the State that the Legislature really does understand the struggle they face to meet day-to-day expenses, while at the same time saving for their child's education and their own retirement.

"Because the State Constitution requires us to give all taxpayers a refund this year, I have left enough room in my budget for a $100 per person tax refund for those filers with less than $100,000 in income and $25 per person for the small minority of residents whose income exceeds $100,000.

"Besides a one-time refund, we need to give our residents long-overdue, permanent tax relief.

"First, we need to fix an insidious tax problem that affects everyone and causes your taxes to go up without you even knowing it.

"Because tax brackets, personal exemptions and standard deductions are not adjusted for inflation, their value diminishes over time, so you end up paying a bigger sale of your income each year in taxes.

"I am proposing the Tax Payer Protection Act of 2007 that will require the Director of Taxation annually to adjust these three factors.

"It is also time for us to take the first step to eliminate the tax on food that families eat at home. I am proposing that we exempt 11 different foods from the general excise tax, including milk, eggs, cereal, and baby formula – foods recognized by the USDA as healthy and basic to a child's diet.

"This will save the people of Hawaii an estimated $40,000,000 per year.

"To give extra tax relief to families, I am proposing the "Ohana Tax Reduction Act" of 2007. This new law will provide an additional $1,000 exemption for children under 19 years old and more than double allowable dependent care expenses for families caring for young children, aging parents, or both.

"I am also asking you to pass other permanent tax relief, including raising the standard deduction to 75% of the federal level, reinstating the blended gasoline excise tax exemption, and eliminating the taxes and fees on vehicles owned by members of our National Guard and Reserves.

"We are honored today by the presence of soldiers from Charlie Company, First Battalion, 207th Aviation Regiment and their families.

"The 75 members of the 207th will leave in a few months and will be the last major Guard unit to be deployed to Iraq. Please stand and be recognized.

"I will be presenting to you later today a legislative package that is robust in its attempts to deal with our State's ongoing challenges, including preserving agricultural land through incentives and by addressing the issue of fake farms, upgrading our harbors, airports and highways, improving pedestrian safety and lowering crime, expanding consumer protection, increasing renewable energy usage, insuring food security by helping poultry and dairy farmers remain in business and protecting our environment.

"A lot of time and effort has been spent by the staff in our departments to develop the 219 proposals I will send you later today.

"Out of respect for them and the public and in the spirit of collaboration, I ask that you give each of these bills a fair hearing.

"I would be remised if I didn't pause for a moment to recognize the incredible contributions our State government employees have made during my first few years as governor.

"From creating the Next Step shelter in only six days to working around the clock to clear the landslide at the Pali Tunnels, to removing rock slides by hand so that Big Island farmers could get their water they needed to survive after the October earthquake last year, to flying supplies to isolated Kaupo on Maui after that same earthquake.

"To the men and women of our State government work force, I recognize your dedication to the public, and I am personally grateful for your hard work and contribution to the success we have achieved.

"And contrary to public comments by some observers over the last few weeks, my budget recognizes your performance and anticipates fair wage increases.

"As we look into the future, we have a fundamental choice to make. Are we just going to tread water and hope we can somehow sustain our standard of living by doing the same things we have done in the past? Or are we going to be true to the heritage of innovation left to us by our ancestors and embrace the new global economy by making certain our citizens have the education and training we need to compete with anyone, anywhere, anytime.

"I want to lead us down the path of innovation because it is the path of hope and opportunity.

"I recently read the following in a book on leadership. It said, 'Ships in harbor are safe, but that's not what ships are made for."

"The same can be said of governments. It is safe for government to cling to what has been done in the past and hope for the best, but that's not what governments were formed for.

"The people have elected us to leave the harbor, to take to the open seas of new ideas, and to make certain that the Hawaii they know and love will be a place all of their children can afford to live in for generations to come.

"I have tried to outline for you today a shared vision of what our Hawaii of the future can look like. It is a Hawaii in which our location in the Pacific and our cultural diversity will be significant advantages as we compete with the rest of the world. It is a Hawaii in which prosperity will be created more through the power of renovation and new ideas and less through the development of land and overuse of our natural resources.

"And most important, it is a Hawaii that will still be the Hawaii we all love – a place of unsurpassed natural beauty that cares for those in need. A place that honors its rich multicultural heritage and a way of life that is unique in all the world.

"Let us work together this Session to refine this vision and to agree on the steps that we need to take to achieve it.

"The new global economy is a wave crashing on our shores. We can ride it or we can be swept away by it. Please make a choice with me to ride this wave.

"The future begins today. Mahalo and God bless you all."

President Hanabusa then rose and stated:

"Thank you, Governor Lingle. I am certain that this 24th Legislature is ready to work together for the benefit of the people of the State of Hawaii."

At 10:58 o'clock a.m., President Hanabusa declared the Joint Session of the House of Representatives and the Senate of the Twenty-Fourth Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Wednesday, January 24, 2007.

FIFTH DAY

Wednesday, January 24, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:06 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Mele Carroll, after which the Roll was called showing all members present with the exception of Representatives Manahan, Meyer and Takamine, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 217 through 222) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 217, dated January 22, 2007, transmitting the Report from the Department of Land and Natural Resources relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for December 2006, in response to Section 19.3 of Act 160, Session Laws of 2006.

Gov. Msg. No. 218, dated January 10, 2007, transmitting the Director of Finance's and Department of Budget and Finance's reporting requirements of Act 160, SLH 2006, the Supplemental Appropriations Act of 2006.

Gov. Msg. No. 219, dated January 23, 2007, transmitting "A Report to the Legislature on Hawaii's Bioscience Industry and Workforce."

Gov. Msg. No. 220, dated January 12, 2007, transmitting the High Technology Development Corporation's 2006 Annual Report.

Gov. Msg. No. 221, dated December 12, 2006, transmitting the 2006 Annual Report prepared by the Natural Energy Laboratory of Hawaii Authority.

Gov. Msg. No. 222, dated January 10, 2007, transmitting the Governor's reporting requirements of Act 160, SLH 2006, the Supplemental Appropriations Act of 2006.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 41 and 42) were received by the Clerk and were placed on file:

Dept. Com. No 41, dated January 19, 2007, from Susan M. Chandler, Interim Director of the Social Sciences Public Policy Center, University of Hawai'i, transmitting the Report regarding requested community-based policy dialogs and interviews responding to Senate Resolution 107 (SD1).

Dept. Com. No 42, dated January 22, 2007, from David McClain, President, University of Hawai'i, transmitting the Research Corporation's Annual Report for the fiscal year ending June 30, 2006.

INTRODUCTION

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

Representative Marumoto, on behalf of the Maui delegation and herself, introduced Ms. Susan Simms of Maui, and her friends Bill and Jeannine Cranford of Union City, Tennessee.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
913	Committee on Judiciary
914	Jointly to the Committee on Education and the Committee on Agriculture, then to the Committee on Finance
915	Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
916	Committee on Economic Development & Business Concerns, then to the Committee on Finance
917	Committee on Economic Development & Business Concerns, then to the Committee on Transportation, then to the Committee on Finance
918	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
919	Committee on Public Safety & Military Affairs, then to the Committee on Finance
920	Committee on Public Safety & Military Affairs, then to the Committee on Finance
921	Committee on Judiciary, then to the Committee on Finance
922	Jointly to the Committee on Higher Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
923	Committee on Education, then to the Committee on Finance
924	Committee on Higher Education, then to the Committee on Finance
925	Committee on Human Services & Housing, then to the Committee on Finance
926	Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
927	Committee on Human Services & Housing, then to the Committee on Finance
928	Committee on Human Services & Housing, then to the Committee on Finance
929	Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

930 Committee on Finance

931 Committee on Transportation, then to the Committee on Judiciary

932 Committee on Economic Development & Business Concerns, then to the Committee on Finance

933 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

934 Committee on Consumer Protection & Commerce, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

935 Jointly to the Committee on Higher Education and the Committee on Agriculture, then to the Committee on Finance

936 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

937 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

938 Committee on Consumer Protection & Commerce, then to the Committee on Finance

939 Committee on Consumer Protection & Commerce, then to the Committee on Finance

940 Committee on Finance

941 Jointly to the Committee on Tourism & Culture and the Committee on International Affairs

942 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

943 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

944 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

945 Committee on Education, then to the Committee on Judiciary

946 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

947 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

948 Committee on Human Services & Housing, then to the Committee on Finance

949 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

950 Committee on Health, then to the Committee on Finance

951 Committee on Education, then to the Committee on Finance

952 Committee on Education, then to the Committee on Finance

953 Committee on Higher Education, then to the Committee on Finance

954 Jointly to the Committee on Education and the Committee on Human Services & Housing, then to the Committee on Finance

955 Jointly to the Committee on Education and the Committee on Human Services & Housing, then to the Committee on Finance

956 Committee on Finance

957 Committee on Transportation, then to the Committee on Finance

958 Committee on Transportation, then to the Committee on Judiciary

959 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

960 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

961 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

962 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

963 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

964 Committee on Labor & Public Employment, then to the Committee on Judiciary

965 Committee on Health, then to the Committee on Finance

966 Committee on Consumer Protection & Commerce, then to the Committee on Finance

967 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

968 Committee on Health, then to the Committee on Finance

969 Committee on Judiciary, then to the Committee on Finance

970 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

971 Committee on Education, then to the Committee on Finance

972 Committee on Health, then to the Committee on Judiciary

973 Committee on Education, then to the Committee on Finance

974 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

975 Committee on Judiciary

976 Committee on Judiciary

977 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

978 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

979 Committee on Agriculture, then to the Committee on Finance

980 Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

981 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

982 Committee on Judiciary

983 Committee on Judiciary, then to the Committee on Finance

984 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

985 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

986 Committee on Finance

987 Committee on Judiciary

988 Committee on Labor & Public Employment, then to the Committee on Finance

989 Committee on Labor & Public Employment, then to the Committee on Finance

990 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

991 Committee on Tourism & Culture, then to the Committee on Finance

992 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

993 Committee on Tourism & Culture, then to the Committee on Finance

994 Committee on Judiciary

995 Committee on Public Safety & Military Affairs, then to the Committee on Finance

996 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

997 Committee on Human Services & Housing, then to the Committee on Finance

998 Committee on Transportation, then to the Committee on Judiciary

999 Committee on Judiciary, then to the Committee on Finance

1000 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1001 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1002 Committee on Human Services & Housing, then to the Committee on Finance

1003 Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

1004 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1005 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1006 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1007 Committee on Human Services & Housing, then to the Committee on Finance

1008 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1009 Committee on Judiciary, then to the Committee on Finance

1010 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1011 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary

1012 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1013 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1014 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

1015 Committee on Labor & Public Employment, then to the Committee on Judiciary

1016 Committee on Finance

1017 Committee on Tourism & Culture, then to the Committee on Finance

1018 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

1019 Jointly to the Committee on Transportation and the Committee on Tourism & Culture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1020 Jointly to the Committee on Tourism & Culture and the Committee on Labor & Public Employment, then to the Committee on Finance

1021 Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance

1022 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection

1023 Committee on Judiciary, then to the Committee on Finance

1024 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Transportation

1025 Committee on International Affairs, then to the Committee on Finance

1026 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1027 Committee on Finance

1028 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1029 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1030 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1031 Committee on Health, then to the Committee on Consumer Protection & Commerce

1032 Committee on Energy & Environmental Protection, then to the Committee on Finance

1033 Committee on Education, then to the Committee on Finance

1034 Committee on Finance

1035 Committee on Finance

1036 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1037 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1038 Committee on Transportation, then to the Committee on Judiciary

1039 Committee on Judiciary

1040 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1041 Committee on Judiciary, then to the Committee on Finance

1042 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1043 Committee on Human Services & Housing, then to the Committee on Finance

1044 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

1045 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1046 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1047 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1048 Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1049 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

1050 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

1051 Committee on Judiciary

1052 Committee on Transportation, then to the Committee on Judiciary

1053 Jointly to the Committee on Transportation and the Committee on Human Services & Housing, then to the Committee on Finance

1054 Committee on Human Services & Housing, then to the Committee on Finance

1055 Committee on Human Services & Housing, then to the Committee on Finance

1056 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1057 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

1058 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

1059 Committee on Agriculture, then to the Committee on Finance

1060 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1061 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1062 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

1063 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1064 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1065 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1066 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1067 Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1068 Committee on Education, then to the Committee on Finance

1069 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1070 Committee on Labor & Public Employment, then to the Committee on Finance

1071 Committee on Finance

1072 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

1073 Committee on Finance

1074 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1075 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

1076 Committee on Human Services & Housing, then to the Committee on Finance

1077 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1078 Committee on Labor & Public Employment, then to the Committee on Finance

1079 Committee on Health, then to the Committee on Finance

1080 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1081 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1082 Committee on Labor & Public Employment, then to the Committee on Finance

1083 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1084 Committee on Legislative Management

1085 Committee on Judiciary, then to the Committee on Finance

1086 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1087 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1088 Committee on Finance

1089 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1090 Committee on Public Safety & Military Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1091 Committee on Public Safety & Military Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1092 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

1093 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1094 Committee on Health, then to the Committee on Judiciary

1095 Committee on Human Services & Housing, then to the Committee on Finance

1096 Committee on Human Services & Housing, then to the Committee on Finance

1097 Committee on Education, then to the Committee on Finance

1098 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1099 Committee on Education, then to the Committee on Finance

1100 Committee on Transportation, then to the Committee on Judiciary

1101 Committee on Transportation, then to the Committee on Judiciary

1102 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1103 Jointly to the Committee on Tourism & Culture and the Committee on International Affairs

1104 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1105 Committee on Economic Development & Business Concerns

1106 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1107 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1108 Committee on Judiciary

1109 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1110 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1111 Committee on Energy & Environmental Protection, then to the Committee on Finance

1112 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1113 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Agriculture

1114 Committee on Agriculture, then to the Committee on Finance

1115 Committee on Energy & Environmental Protection, then to the Committee on Finance

1116 Committee on Energy & Environmental Protection, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture

1117 Committee on International Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1118 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1119 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

1120 Committee on Health, then to the Committee on Finance

1121 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

1122 Committee on Transportation, then to the Committee on Finance

1123 Committee on Education, then to the Committee on Finance

1124 Committee on Energy & Environmental Protection, then to the Committee on Finance

1125 Committee on Finance

1126 Committee on Transportation, then to the Committee on Judiciary

1127 Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1128 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

1129 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1130 Committee on Judiciary

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1133 Committee on Judiciary, then to the Committee on Finance

1134 Committee on Judiciary, then to the Committee on Finance

1135 Committee on Judiciary, then to the Committee on Finance

1136 Committee on Judiciary, then to the Committee on Finance

1137 Committee on Human Services & Housing, then to the Committee on Finance

1138 Committee on Transportation

1139 Committee on Tourism & Culture, then to the Committee on Judiciary

1140 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

1141 Committee on Tourism & Culture, then to the Committee on Judiciary

1142 Committee on Tourism & Culture, then to the Committee on Judiciary

1143 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1144 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1145 Committee on Finance

1146 Committee on Labor & Public Employment, then to the Committee on Finance

1147 Committee on Judiciary

1148 Committee on Judiciary

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1153 Committee on Judiciary

1154 Committee on Transportation, then to the Committee on Judiciary

1155 Committee on Agriculture, then to the Committee on Judiciary

1156 Committee on Judiciary

1157 Committee on Judiciary

1158 Committee on Judiciary

1159 Committee on Judiciary

1160 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1161 Committee on Labor & Public Employment, then to the Committee on Finance

1162 Committee on Labor & Public Employment, then to the Committee on Finance

1163 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1164 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1165 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1166 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1167 Committee on Human Services & Housing, then to the Committee on Finance

1168 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

1169 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1170 Committee on Human Services & Housing, then to the Committee on Finance

1171 Committee on Labor & Public Employment, then to the Committee on Finance

1172 Committee on Judiciary

1173 Committee on Judiciary

1174 Committee on Judiciary, then to the Committee on Finance

1175 Committee on Transportation, then to the Committee on Judiciary

1176 Committee on Energy & Environmental Protection, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation, then to the Committee on Finance

1177 Committee on Judiciary, then to the Committee on Finance

1178 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1179 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1180 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1181 Committee on Education, then to the Committee on Finance

1182 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1183 Committee on Transportation, then to the Committee on Finance

1184 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1185 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1186 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1187 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1188 Committee on Human Services & Housing

1189 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

1190 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

1191 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1192 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1193 Committee on Labor & Public Employment, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1194 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1195 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1196 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1197 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1198 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance

1199 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance

1200 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1201 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1202 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

1203 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

1204 Committee on Judiciary

1205 Committee on Transportation, then to the Committee on Judiciary

1206 Committee on Judiciary

1207 Committee on Finance

1208 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1209 Committee on Judiciary, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1210 Committee on Judiciary

1211 Committee on Judiciary, then to the Committee on Finance

1212 Committee on Judiciary, then to the Committee on Finance

1213 Committee on Judiciary

1214 Committee on Transportation, then to the Committee on Judiciary

1215 Committee on Transportation, then to the Committee on Judiciary

1216 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Transportation, then to the Committee on Finance

1217 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

1218 Committee on Agriculture, then to the Committee on Judiciary

1219 Committee on Agriculture, then to the Committee on Finance

1220 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1221 Committee on Agriculture, then to the Committee on Finance

1222 Committee on Agriculture, then to the Committee on Finance

1223 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

1224 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1225 Committee on Finance

1226 Committee on Finance

1227 Committee on Finance

1228 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

1229 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1230 Committee on Tourism & Culture, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1231 Committee on Judiciary, then to the Committee on Finance

1232 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1233 Committee on Judiciary, then to the Committee on Finance

1234 Committee on Judiciary

1235 Committee on Judiciary

1236 Committee on Judiciary, then to the Committee on Finance

1237 Committee on Judiciary, then to the Committee on Finance

1238 Committee on Judiciary, then to the Committee on Finance

1239 Committee on Judiciary, then to the Committee on Finance

1240 Committee on Health, then to the Committee on Judiciary

1241 Committee on Judiciary

1242 Committee on Judiciary

1243 Committee on Health, then to the Committee on Judiciary

1244 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

1245 Committee on Human Services & Housing, then to the Committee on Judiciary

1246 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1247 Committee on Judiciary

1248 Committee on Judiciary

1249 Committee on Judiciary

1250 Committee on Judiciary

1251 Committee on Human Services & Housing, then to the Committee on Judiciary

1252 Committee on Transportation, then to the Committee on Judiciary

1253 Committee on Judiciary

1254 Committee on Transportation, then to the Committee on Judiciary

1255 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1256 Committee on Judiciary, then to the Committee on Finance

1257 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

1258 Committee on Labor & Public Employment, then to the Committee on Judiciary

1259 Committee on Human Services & Housing, then to the Committee on Judiciary

1260 Committee on Health, then to the Committee on Judiciary

1261 Committee on Judiciary

1262 Committee on Human Services & Housing, then to the Committee on Finance

1263 Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1264 Committee on Human Services & Housing

1265 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1266 Committee on Human Services & Housing, then to the Committee on Finance

1267 Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1268 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1269 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

1270 Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1271 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1272 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns

1273 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1274 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1275 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Finance

1276 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1277 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1278 Committee on Energy & Environmental Protection, then to the Committee on Finance

1279 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Higher Education and the Committee on Tourism & Culture, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1280 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1281 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1282 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1283 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1284 Committee on Finance

1285 Jointly to the Committee on Human Services & Housing and the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1286 Committee on Finance

1287 Committee on Finance

1288 Committee on Higher Education, then to the Committee on Finance

1289 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1290 Committee on Labor & Public Employment, then to the Committee on Finance

1291 Committee on Labor & Public Employment, then to the Committee on Finance

1292 Committee on Labor & Public Employment, then to the Committee on Finance

1293 Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1294 Committee on Labor & Public Employment, then to the Committee on Finance

1295 Committee on Labor & Public Employment, then to the Committee on Finance

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1303 Committee on Labor & Public Employment, then to the Committee on Finance

1304 Committee on Labor & Public Employment, then to the Committee on Finance

1305 Committee on Labor & Public Employment, then to the Committee on Finance

1306 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1307 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

1308 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1309 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1310 Committee on Energy & Environmental Protection, then to the Committee on Finance

1311 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1312 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1313 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1314 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1315 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1316 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1317 Committee on Health, then to the Committee on Consumer Protection & Commerce

1318 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1319 Committee on Health, then to the Committee on Consumer Protection & Commerce

1320 Committee on Health, then to the Committee on Consumer Protection & Commerce

1321 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1322 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1323 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1324 Committee on Public Safety & Military Affairs, then jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

1325 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1326 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1327 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1328 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1329 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1330 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1331 Committee on Health, then to the Committee on Judiciary

1332 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1333 Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1334 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1335 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1336 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1337 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1338 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1339 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce

1340 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1341 Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1342 Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1343 Committee on Public Safety & Military Affairs, then to the Committee on Transportation, then to the Committee on Finance

1344 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1345 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1346 Committee on Education, then to the Committee on Finance

1347 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1348 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

1349 Committee on Health, then to the Committee on Finance

1350 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1351 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

1352 Committee on Tourism & Culture, then to the Committee on Finance

1353 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1354 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1355 Committee on Human Services & Housing, then to the Committee on Judiciary

1356 Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

1357 Committee on Human Services & Housing, then to the Committee on Judiciary

1358 Committee on Human Services & Housing, then to the Committee on Public Safety & Military Affairs

1359 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1360 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1361 Committee on Human Services & Housing, then to the Committee on Finance

1362 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1363 Committee on Human Services & Housing, then to the Committee on Judiciary

1364 Committee on Human Services & Housing, then to the Committee on Finance

1365 Committee on Labor & Public Employment, then to the Committee on Finance

1366 Committee on Labor & Public Employment, then to the Committee on Finance

1367 Committee on Labor & Public Employment, then to the Committee on Finance

1368 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1369 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1370 Committee on Health, then to the Committee on Finance

1371 Committee on Health, then to the Committee on Finance

1372 Committee on Health, then to the Committee on Finance

1373 Committee on Health, then to the Committee on Finance

1374 Committee on Transportation, then to the Committee on Energy & Environmental Protection

1375 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1376 Committee on Energy & Environmental Protection

1377 Committee on Health, then to the Committee on Finance

1378 Committee on Health, then to the Committee on Finance

1379 Committee on Labor & Public Employment, then to the Committee on Finance

1380 Committee on Labor & Public Employment, then to the Committee on Finance

1381 Committee on Labor & Public Employment, then to the Committee on Finance

1382 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1383 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns

1384 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1385 Committee on Labor & Public Employment, then to the Committee on Finance

1386 Committee on Labor & Public Employment, then to the Committee on Finance

1387 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1388 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1389 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1390 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1391 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1392 Committee on Judiciary

1393 Committee on Judiciary

1394 Committee on Judiciary

1395 Committee on Higher Education, then to the Committee on Finance

1396 Committee on Labor & Public Employment, then to the Committee on Finance

1397 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1398 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1399 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

1400 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1401 Committee on Health, then to the Committee on Judiciary

1402 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1403 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

1404 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

1405 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1406 Committee on Human Services & Housing, then to the Committee on Judiciary

1407 Committee on Finance

1408 Committee on Finance

1409 Committee on Human Services & Housing, then to the Committee on Finance

1410 Committee on Finance

1411 Committee on Finance

1412 Committee on Finance

1413 Committee on Judiciary, then to the Committee on Finance

1414 Committee on Transportation, then to the Committee on Finance

1415 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1416 Committee on Energy & Environmental Protection, then to the Committee on Finance

1417 Committee on Finance

1418 Committee on Finance

1419 Committee on Finance

1420 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1421 Committee on Transportation, then to the Committee on Judiciary

1422 Committee on Transportation, then to the Committee on Judiciary

1423 Committee on Transportation

1424 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1425 Committee on Transportation, then to the Committee on Finance

1426 Committee on Transportation, then to the Committee on Judiciary

1427 Committee on Transportation

1428 Committee on Transportation, then to the Committee on Finance

1429 Committee on Transportation, then to the Committee on Judiciary

1430 Jointly to the Committee on Higher Education and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1431 Committee on Higher Education, then to the Committee on Finance

1432 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

1433 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1434 Committee on Finance

1435 Committee on Tourism & Culture, then to the Committee on Finance

1436 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1437 Committee on Energy & Environmental Protection

1438 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1439 Committee on Judiciary

1440 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

1441 Committee on Finance

1442 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1443 Committee on Labor & Public Employment, then to the Committee on Finance

1444 Committee on Transportation, then to the Committee on Judiciary

1445 Committee on Transportation, then to the Committee on Judiciary

1446 Committee on Transportation, then to the Committee on Judiciary

1447 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1448 Committee on Health, then to the Committee on Finance

1449 Committee on Human Services & Housing, then to the Committee on Judiciary

1450 Committee on Human Services & Housing, then to the Committee on Judiciary

1451 Committee on Health, then to the Committee on Consumer Protection & Commerce

1452 Committee on Energy & Environmental Protection, then to the Committee on Finance

1453 Committee on Health, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1454 Committee on Health, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1455 Committee on Human Services & Housing, then to the Committee on Finance

1456 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1457 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Human Services & Housing and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1458 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health, then to the Committee on Judiciary

1459 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

1460 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance

1461 Committee on Transportation, then to the Committee on Health, then to the Committee on Finance

1462 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

1463 Committee on Health, then to the Committee on Finance

1464 Committee on Health, then to the Committee on Finance

1465 Committee on Health, then to the Committee on Finance

1466 Committee on Health, then to the Committee on Finance

1467 Committee on Health, then to the Committee on Finance

1468 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1469 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1470 Committee on Judiciary, then to the Committee on Finance

1471 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1472 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1473 Committee on Health, then to the Committee on Finance

1474 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1475 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1476 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1477 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

1478 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1479 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

1480 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1481 Committee on Health, then to the Committee on Finance

1482 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1483 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1484 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1485 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

1486 Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

1487 Committee on Finance

1488 Committee on Judiciary, then to the Committee on Finance

1489 Committee on Judiciary, then to the Committee on Finance

1490 Committee on Finance

1491 Committee on Finance

1492 Committee on Legislative Management, then to the Committee on Finance

1493 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1494 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1495 Committee on Health, then to the Committee on Finance

1496 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1497 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1498 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1499 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1500 Committee on Labor & Public Employment, then to the Committee on Finance

1501 Committee on Finance

1502 Committee on Labor & Public Employment, then to the Committee on Finance

1503 Committee on Labor & Public Employment, then to the Committee on Judiciary

1504 Committee on Education, then to the Committee on Finance

1505 Committee on Education, then to the Committee on Finance

1506 Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1507 Committee on Education, then to the Committee on Finance

1508 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1509 Committee on Consumer Protection & Commerce

1510 Committee on Finance

1511 Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1512 Committee on Judiciary

1513 Committee on Judiciary

1514 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1515 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1516 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1517 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1518 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1519 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1520 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1521 Committee on Tourism & Culture, then to the Committee on Judiciary

1522 Committee on Education, then to the Committee on Finance

1523 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1524 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1525 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1526 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1527 Committee on Higher Education, then to the Committee on Finance

1528 Committee on Higher Education, then to the Committee on Finance

1529 Committee on Higher Education, then to the Committee on Finance

1530 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

1531 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

1532 Committee on Finance

1533 Committee on Higher Education, then to the Committee on Finance

1534 Committee on Health, then to the Committee on Finance

1535 Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance

1536 Committee on Human Services & Housing, then to the Committee on Finance

1537 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1538 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1539 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1540 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

1541 Committee on Transportation, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

1542 Committee on Transportation, then to the Committee on Judiciary

1543 Committee on Finance

1544 Committee on Transportation, then to the Committee on Judiciary

1545 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1546 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1547 Committee on International Affairs

1548 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

1549 Committee on Transportation, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1550 Committee on Health, then to the Committee on Finance

1551 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1552 Committee on Tourism & Culture, then to the Committee on Finance

1553 Committee on Finance

1554 Committee on Agriculture, then to the Committee on Finance

1555 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1556 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1557 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1558 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1559 Committee on Transportation, then to the Committee on Finance

1560 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

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1574 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1575 Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance

1576 Committee on Agriculture, then to the Committee on Finance

1577 Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1578 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1579 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1580 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1581 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1582 Committee on Tourism & Culture, then to the Committee on Finance

1583 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1584 Committee on Transportation, then to the Committee on Judiciary

1585 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Judiciary

1586 Committee on Judiciary

1587 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1588 Committee on Finance

1589 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Finance

1590 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1591 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1592 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1593 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1594 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1595 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1596 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1597 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	**Re-referred to:**
20	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
25	Jointly to the Committee on Education and the Committee on Labor & Public Employment
833	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services & Housing

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the following bills (H.B. Nos.

913 through 1967) laying on the Clerk's desk and received up to 6:00 o'clock p.m. passed First Reading by title and were referred to Printing: (Representatives Meyer and Takamine were excused.)

H. B. Nos.

913 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Representative Takai.

914 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY-BASED AQUACULTURE PROGRAM IN HONOKAA."

Introduced by: Representative Takamine, by request.

915 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."

Introduced by: Representatives Sonson, Chong, M. Oshiro and Souki.

916 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Representatives Evans, Bertram, Cabanilla, Carroll, Chong, Har, Herkes, Karamatsu, Lee, Magaoay, McKelvey, Mizuno, Morita, Say, Sonson, Takai, Takumi, Waters, Yamane, Yamashita, Caldwell, M. Oshiro and Takamine.

917 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Souki and Nishimoto.

918 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION."

Introduced by: Representatives Souki and Nishimoto.

919 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Tsuji, Chang, Chong, Evans, Green, Hanohano, Herkes, Brower, Magaoay, Takamine and Yamashita.

920 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Tsuji, Chang, Evans, Hanohano, Herkes, Brower, Chong, Green, Magaoay, Takamine and Yamashita.

921 "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT."

Introduced by: Representatives Tsuji, Chang, Hanohano, Herkes, Brower, Chong, Green, Magaoay and Takamine.

922 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE COLLEGE."

Introduced by: Representatives Tsuji, Chang, Hanohano, Herkes, Evans, Green and Takamine.

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

Introduced by: Representatives Tsuji, Chang, Hanohano, Herkes, Evans, Green and Takamine.

924 "A BILL FOR AN ACT RELATING TO A COLLEGE SAVINGS PROGRAM TAX CREDIT."

Introduced by: Representative Takai.

925 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO HOUSING."

Introduced by: Representative Shimabukuro.

926 "A BILL FOR AN ACT RELATING TO COMMUNITY LAND TRUSTS."

Introduced by: Representative Shimabukuro.

927 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Shimabukuro.

928 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Representative Shimabukuro.

929 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING DEVELOPMENT."

Introduced by: Representative Shimabukuro.

930 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINETEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Marumoto.

931 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representatives Wakai, Nishimoto, Bertram and Souki.

932 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representatives Wakai, Belatti, Lee, Magaoay, Mizuno, Nishimoto, B. Oshiro, Shimabukuro, Yamashita, Bertram, Brower, Evans, Sagum, Souki and Tsuji.

933 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Wakai, Belatti, Lee, Magaoay, Mizuno, Nishimoto, B. Oshiro, Sagum, Shimabukuro, Yamashita, Bertram, Brower, Evans, Souki and Tsuji.

934 "A BILL FOR AN ACT RELATING TO CEMETERIES."

Introduced by: Representatives Wakai, Lee, Nishimoto, B. Oshiro, Belatti, Bertram, Brower, Evans, Magaoay, Mizuno, Sagum, Shimabukuro, Souki and Yamashita.

935 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Wakai, Belatti, Magaoay, Nishimoto, B. Oshiro, Yamashita, Bertram and Shimabukuro.

936 "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES."

Introduced by: Representative Herkes.

937 "A BILL FOR AN ACT RELATING TO ELECTRICAL AND PLUMBING TRADES."

Introduced by: Representative Herkes.

938 "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS."

Introduced by: Representative Herkes.

939 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Representative Herkes.

940 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Herkes.

941 "A BILL FOR AN ACT RELATING TO THE OBSERVANCE OF THE ASIAN LUNAR NEW YEAR."

Introduced by: Representatives Marumoto, Awana, Chang, Ching, Finnegan, Ito, Lee, Luke, Magaoay, Manahan, Meyer, Pine, Thielen, Tokioka, Ward, Belatti, Chong, Karamatsu, Mizuno, Sagum, Takamine, Takumi, Wakai, Yamane and Yamashita.

942 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."

Introduced by: Representative Ito.

943 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Representatives Ito and Chong.

944 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Representatives Ito and Chong.

945 "A BILL FOR AN ACT RELATING TO COUNSELING."

Introduced by: Representatives Ito, Carroll, Chong, Hanohano, Magaoay, Manahan and Morita.

946 "A BILL FOR AN ACT RELATING TO COUNTY INFRASTRUCTURE CAPACITY BUILDING CONSTRUCTION FINANCING."

Introduced by: Representatives Ito, Chong, Hanohano, Magaoay, Carroll, Manahan and Morita.

947 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Cabanilla.

948 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Nakasone.

949 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representative Nakasone.

950 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Nakasone and Herkes.

951 "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN."

Introduced by: Representative Takumi, by request.

952 "A BILL FOR AN ACT RELATING TO SCHOOL CLOSURES OR CONSOLIDATIONS."

Introduced by: Representative Takumi, by request.

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

Introduced by: Representative Takumi.

954 "A BILL FOR AN ACT RELATING TO TEACHER HOUSING."

Introduced by: Representative Takumi.

955 "A BILL FOR AN ACT RELATING TO TEACHER HOUSING."

Introduced by: Representative Takumi.

956 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Hanohano.

957 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE "ROADS IN LIMBO" PROGRAM IN HAWAII COUNTY."

Introduced by: Representatives Hanohano, Chang, Green, Mizuno, Tsuji, Belatti, Bertram, Evans, Har, Herkes, Manahan, Sagum and Tokioka.

958 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Takai.

959 "A BILL FOR AN ACT RELATING TO IOLANI PALACE."

Introduced by: Representatives Sagum, Chong, Evans, Ito, Magaoay, Morita, Tokioka and Souki.

960 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Representatives Sagum, Chong, Evans, Ito, Karamatsu, Magaoay, Tokioka and Souki.

961 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Sagum, by request.

962 "A BILL FOR AN ACT RELATING TO CHRONIC KIDNEY DISEASE."

Introduced by: Representatives Magaoay, Carroll, Chang, Green, Hanohano, Manahan, Caldwell, Chong, Evans, Herkes, Ito, Karamatsu, Lee, Mizuno, Sagum, Tokioka and Yamane.

963 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Magaoay, Chang, Herkes, Caldwell, Chong, Ito, Manahan, Mizuno, Sagum, Tokioka and Yamane.

964 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Representatives Magaoay, Chang, Carroll, Chong, Green, Herkes, Ito, Karamatsu, Lee, Mizuno, Sagum, Sonson and Yamane.

965 "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL."

Introduced by: Representatives Magaoay, Caldwell, Carroll, Chang, Green, Ito, Lee, Meyer, Mizuno, Sagum, Tokioka, Yamane and Yamashita.

966 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representatives Magaoay, Chong, Ito, Manahan, Yamane, Herkes, Karamatsu, Mizuno, Sagum, Tokioka and Yamashita.

967 "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE."

Introduced by: Representatives Karamatsu, Ito, Lee, Mizuno, Sonson, Waters, Belatti, Brower, Magaoay, Souki, Tokioka and Yamashita.

968 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Karamatsu, Brower, Ito, Magaoay, Mizuno, Sagum, Tokioka, Waters, Lee, Sonson and Souki.

969 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY."

Introduced by: Representatives Sonson, Cabanilla, Finnegan, Manahan, Mizuno, B. Oshiro, Pine, Evans, Green, Har, Lee, Magaoay, Rhoads, Takumi and Wakai.

970 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Evans, B. Oshiro, Pine, Bertram, Finnegan, Green, Lee, Magaoay, Manahan, Mizuno, M. Oshiro and Wakai.

971 "A BILL FOR AN ACT RELATING TO PEER COUNSELING SERVICES IN HIGH SCHOOLS."

Introduced by: Representatives B. Oshiro and Takai.

972 "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS."

Introduced by: Representative Waters.

973 "A BILL FOR AN ACT RELATING TO EDUCATION IN MIDDLE SCHOOLS."

Introduced by: Representatives B. Oshiro and Takai.

974 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives B. Oshiro, Herkes, Magaoay and Yamashita.

975 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Representatives B. Oshiro, Belatti, Brower, McKelvey, Rhoads, Tokioka, Bertram, Har, Manahan, Mizuno and Sagum.

976 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Representatives Berg, Belatti, B. Oshiro, Rhoads and Wakai.

977 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Representatives Berg, Hanohano and Wakai.

978 "A BILL FOR AN ACT RELATING TO GEOLOGISTS."

Introduced by: Representatives Berg, Hanohano and Wakai.

979 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE."

Introduced by: Representatives Berg, Hanohano and Wakai.

980 "A BILL FOR AN ACT RELATING TO AIRPORT CONCESSIONS."

Introduced by: Representatives Berg and Wakai.

981 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representatives Luke, Belatti, Berg, Brower, Green, Ito, Morita, Saiki, Sonson, Takumi, Thielen, Chong, Herkes, Mizuno and Rhoads.

982 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Representatives Luke, Saiki, Cabanilla, Evans, Hanohano, Herkes, Ito, Magaoay, Mizuno, Morita, Sonson, Takumi and Thielen.

983 "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE COURT OF APPEALS."

Introduced by: Representatives Luke, Belatti, Green, Mizuno, Rhoads, Sonson, Berg, Chong, Evans, Hanohano, Herkes, Ito, Magaoay, Morita, Saiki and Takumi.

984 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND SAFETY."

Introduced by: Representatives Luke, Berg, Evans, Green, Mizuno, Morita, Saiki, Sonson, Belatti, Brower, Chang, Chong, Herkes, Ito, Rhoads and Takumi.

985 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representatives Luke, Berg, Cabanilla, Chang, Chong, Evans, Ito, Mizuno, Morita, Saiki, Sonson, Belatti, Brower, Ching, Green, Herkes, Rhoads, Takumi and Thielen.

986 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Waters.

987 "A BILL FOR AN ACT RELATING TO POLICE OFFICERS."

Introduced by: Representative Waters.

988 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Waters.

989 "A BILL FOR AN ACT RELATING TO LEAVE SHARING."

Introduced by: Representative Waters.

990 "A BILL FOR AN ACT RELATING TO RETIREMENT ALLOWANCE."

Introduced by: Representative Waters.

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

Introduced by: Representatives Manahan, Brower, Hanohano, Magaoay, Mizuno, Yamane, Cabanilla, Carroll, Sonson and Wakai.

992 "A BILL FOR AN ACT RELATING TO SCRAP COPPER DEALERS."

Introduced by: Representative Manahan.

993 "A BILL FOR AN ACT RELATING TO THE PERFORMANCE ARTS."

Introduced by: Representatives Manahan, Hanohano, Magaoay, B. Oshiro, Sonson, Yamane, Chang, Herkes, Mizuno, Morita and Wakai.

994 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representatives Manahan, Marumoto, Brower, Hanohano, Magaoay, Mizuno, Rhoads, Sonson, Wakai and Yamane.

995 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."

Introduced by: Representatives Manahan, Berg, Cabanilla, Carroll, Chang, Evans, Karamatsu, Lee, Magaoay, McKelvey, Mizuno, Pine, Say, Sonson, Takumi and Yamane.

996 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Representatives Rhoads, Lee, Belatti, Brower and Mizuno.

997 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KUKUI GARDENS."

Introduced by: Representatives Rhoads and Say.

998 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Rhoads.

999 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Representative Rhoads.

1000 "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Introduced by: Representative Rhoads.

1001 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Say, Caldwell, Carroll, Chang, Chong, Evans, Green, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Mizuno, B. Oshiro, M. Oshiro, Rhoads, Sagum, Souki, Tokioka, Tsuji, Waters, Yamane, Yamashita, Bertram, Brower, Cabanilla, Hanohano, McKelvey, Shimabukuro and Sonson.

1002 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Shimabukuro, Belatti, Berg, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Souki, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Hanohano, Sagum, Sonson and Takamine.

1003 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Belatti, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Shimabukuro, Sonson, Souki, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, McKelvey and Takamine.

1004 "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY."

Introduced by: Representatives Morita, Belatti, Berg, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Herkes, Ito, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Sonson, Souki, Takai, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Bertram, Brower, Karamatsu, McKelvey and Takamine.

1005 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representatives Morita, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Bertram and Takamine.

1006 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representatives Herkes, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chong, Evans, Green, Hanohano, Har, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Souki, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Bertram, Chang and Sonson.

1007 "A BILL FOR AN ACT RELATING TO FAMILY SELF-SUFFICIENCY."

Introduced by: Representatives Shimabukuro, Belatti, Berg, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Herkes, Ito, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Souki, Takai, Takumi, Tsuji, Waters, Yamane, Yamashita, Bertram, Cabanilla, Hanohano, Karamatsu, Sagum, Sonson, Takamine and Tokioka.

1008 "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE."

Introduced by: Representatives Green, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chong, Evans, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, M. Oshiro, B. Oshiro, Rhoads, Say, Shimabukuro, Souki, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Bertram, Chang, Sagum, Sonson and Takamine.

1009 "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE."

Introduced by: Representatives Caldwell, Chang, Evans, Karamatsu, Lee and Waters.

1010 "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH."

Introduced by: Representatives Chang, Ito, Mizuno, B. Oshiro, Yamane, Caldwell, Carroll, Chong, Evans, Green, Hanohano, Herkes, Lee, Magaoay, Say, Souki and Yamashita.

1011 "A BILL FOR AN ACT RELATING TO UNIFORM INFORMATION PRACTICES."

Introduced by: Representatives Chang, Green, Hanohano, Ito, Mizuno, B. Oshiro, Tsuji, Yamane, Berg, Caldwell, Carroll, Chong, Evans, Herkes, Karamatsu, Lee, Magaoay, Say and Yamashita.

1012 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Green, Hanohano, Lee, Mizuno, Caldwell, Chong, Herkes, Ito, Magaoay, B. Oshiro, Say, Souki, Tsuji, Yamane and Yamashita.

1013 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPERIENTIAL LEARNING."

Introduced by: Representatives Chang, Evans, Green, Hanohano, Karamatsu, Lee, B. Oshiro, Yamane, Caldwell, Carroll, Chong, Herkes, Ito, Magaoay, Mizuno, Say, Tsuji and Yamashita.

1014 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Caldwell, Evans, Hanohano, Ito, Lee, Magaoay, Mizuno, B. Oshiro, Berg, Carroll, Chong, Green, Herkes, Karamatsu, Say, Souki, Yamane and Yamashita.

1015 "A BILL FOR AN ACT RELATING TO WORKER'S RIGHTS."

Introduced by: Representative Karamatsu, by request.

1016 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representatives Yamane and Lee.

1017 "A BILL FOR AN ACT RELATING TO HAWAII TOURISM AUTHORITY."

Introduced by: Representatives Yamane, Manahan and Takamine.

1018 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Representatives Yamane, Chang, Manahan and Yamashita.

1019 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representatives Yamane, Manahan and Yamashita.

1020 "A BILL FOR AN ACT RELATING TO TOURISM WORKFORCE DEVELOPMENT."

Introduced by: Representatives Yamane, Chang and Manahan.

1021 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Representative Finnegan.

1022 "A BILL FOR AN ACT RELATING TO DEVELOPMENT."

Introduced by: Representative Finnegan.

1023 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS."

Introduced by: Representative Souki.

1024 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Cabanilla, Hanohano, Lee and Mizuno.

1025 "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE INTERNATIONAL ASSOCIATION OF LIONS CLUB TO CONSTRUCT A CAMP FACILITY FOR YOUTH ON OAHU."

Introduced by: Representatives Cabanilla, Chang, Ching, Finnegan, Awana, Green, Hanohano, Lee, Manahan, Meyer, Mizuno and Shimabukuro.

1026 "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY."

Introduced by: Representatives Cabanilla, Awana, Chang, Ching, Finnegan, Mizuno, Green, Hanohano, Lee and Manahan.

1027 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Cabanilla.

1028 "A BILL FOR AN ACT RELATING TO WALKING TRAILS."

Introduced by: Representatives Bertram, Morita, Chong, Pine, Rhoads and Tokioka.

1029 "A BILL FOR AN ACT RELATING TO BEACHES."

Introduced by: Representatives Bertram, Chong and Morita.

1030 "A BILL FOR AN ACT RELATING TO COASTAL LANDS."

Introduced by: Representatives Bertram and Morita.

1031 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative Bertram.

1032 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Bertram, Chong and Rhoads.

1033 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chong, Belatti, Carroll, Green, Hanohano, Ito, Lee, Magaoay, Manahan, McKelvey, Tokioka, Yamane and Yamashita.

1034 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Representatives Chong, Belatti, Carroll, Hanohano, Lee, Magaoay, Manahan, Yamane, Yamashita and Tokioka.

1035 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Representatives Chong, Manahan, Yamashita, Belatti, Bertram, Carroll, Ito and Tokioka.

1036 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representatives Chong, Ito, Yamashita and McKelvey.

1037 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representatives Chong, Ito and Yamashita.

1038 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Representative Caldwell.

1039 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Representatives Caldwell and Waters.

1040 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

Introduced by: Representatives Caldwell and Herkes.

1041 "A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL."

Introduced by: Representatives Caldwell, B. Oshiro and Waters.

1042 "A BILL FOR AN ACT RELATING TO SCRAP METAL."

Introduced by: Representatives Mizuno, Awana, Bertram, Carroll, Finnegan, Hanohano, Marumoto, Meyer, Sonson, Ward, Magaoay, Rhoads and Thielen.

1043 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno, Awana, Carroll, Evans, Finnegan, Hanohano, Magaoay, Meyer, Pine, Sonson, Thielen, Ward, Bertram and Rhoads.

1044 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Representatives Mizuno, Bertram and Sonson.

1045 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."

Introduced by: Representatives Mizuno, Awana, Carroll, Finnegan, Hanohano, Rhoads, Bertram, Evans, Magaoay, Pine and Sonson.

1046 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Carroll, Takumi, Tsuji, Yamashita, Brower, Hanohano, Lee, Sonson and Tokioka.

1047 "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS."

Introduced by: Representatives Carroll, Hanohano, Sonson, Brower, Lee, Takumi, Tokioka and Yamashita.

1048 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED CROPS."

Introduced by: Representatives Carroll and Hanohano.

1049 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED TARO."

Introduced by: Representatives Carroll, Hanohano and Takumi.

1050 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY."

Introduced by: Representatives Carroll, Brower, Hanohano, Lee, Tokioka, Tsuji and Yamashita.

1051 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Brower, Belatti, Hanohano, Karamatsu and Morita.

1052 "A BILL FOR AN ACT RELATING TO VEHICLE REGISTRATION."

Introduced by: Representatives Brower, Hanohano, Belatti, Berg, Karamatsu and Rhoads.

1053 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Brower, Hanohano, Ito, Manahan, Mizuno, Sagum, Chang, Har, Karamatsu, McKelvey, Morita, Rhoads, Say, Takumi and Tokioka.

1054 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD."

Introduced by: Representatives Brower, Berg, Manahan, Mizuno, Sagum, Takumi, Tokioka, Belatti, Chang, Hanohano, Ito, Karamatsu, McKelvey, Rhoads and Say.

1055 "A BILL FOR AN ACT RELATING TO THE STATE COMMISSION ON FATHERHOOD."

Introduced by: Representatives Brower, Mizuno, Sagum, Tokioka, Berg, Chang, Hanohano, Ito, Karamatsu, Manahan, McKelvey, Rhoads, Say and Takumi.

1056 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REGULATORY BOARDS AND COMMISSIONS ADMINISTRATIVE ASSISTANT."

Introduced by: Representatives Yamashita, Tsuji and Chong.

1057 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representatives Yamashita, Chang, Chong, Mizuno, B. Oshiro, Bertram, Karamatsu, McKelvey, Nakasone, Say, Tsuji and Yamane.

1058 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representatives Yamashita, Caldwell, Chang, McKelvey, Mizuno, Yamane, Bertram, Chong, Karamatsu, Nakasone, B. Oshiro, Say and Tsuji.

1059 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN, DESIGN, AND CONSTRUCT A TEST WELL IN UPCOUNTRY MAUI TO SERVE AS THE FIRST PHASE IN THE CONSTRUCTION OF A GROUND WATER WELL TO SUPPLEMENT THE UPCOUNTRY MAUI SURFACE WATER SYSTEM."

Introduced by: Representatives Yamashita, Chong, Ito, Karamatsu, Nakasone and Say.

1060 "A BILL FOR AN ACT RELATING TO AIRCRAFT SERVICE AND MAINTENANCE FACILITIES."

Introduced by: Representative Yamashita.

1061 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES."

Introduced by: Representatives Mizuno, Awana, Bertram, Hanohano, Pine, Sonson, Carroll, Evans, Finnegan, Magaoay and Rhoads.

1062 "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE."

Introduced by: Representative Evans.

1063 "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD."

Introduced by: Representative Evans.

1064 "A BILL FOR AN ACT RELATING TO EMERGENCY ELECTRICAL BACKUP SYSTEMS."

Introduced by: Representatives Evans and Har.

1065 "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS."

Introduced by: Representatives Evans and Har.

1066 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Evans and Har.

1067 "A BILL FOR AN ACT RELATING TO CERTIFICATES OF NEED."

Introduced by: Representatives McKelvey, Bertram, Brower, Carroll, Evans, Hanohano, Herkes, Manahan, Mizuno, Waters, Yamashita and Nakasone.

1068 "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS."

Introduced by: Representatives McKelvey, Bertram, Cabanilla, Carroll, Har, Magaoay, Manahan and Souki.

1069 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION TAX CREDIT."

Introduced by: Representatives McKelvey, Awana, Bertram, Brower, Cabanilla, Manahan, Thielen, Carroll, Ching, Finnegan, Green, Hanohano, Mizuno and Rhoads.

1070 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives McKelvey, Awana, Brower, Har, Thielen and Herkes.

1071 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative McKelvey.

1072 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1073 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say.

1074 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representative Say.

1075 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Say.

1076 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say.

1077 "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say.

1078 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Representative Say.

1079 "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX."

Introduced by: Representative Say.

1080 "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS."

Introduced by: Representative Say.

1081 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representative Say.

1082 "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY."

Introduced by: Representative Say.

1083 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representative Say.

1084 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Representative Say.

1085 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Representative Say, by request.

1086 "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Representative Say.

1087 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative Say.

1088 "A BILL FOR AN ACT RELATING TO STREAM DRAINAGE IMPROVEMENTS."

Introduced by: Representative Say.

1089 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Representative Say.

1090 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Say.

1091 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Say.

1092 "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS."

Introduced by: Representative Say.

1093 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representative Say.

1094 "A BILL FOR AN ACT RELATING TO CIGARETTE SALES."

Introduced by: Representative Say.

1095 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1096 "A BILL FOR AN ACT RELATING TO STATE MORTGAGE CREDIT CERTIFICATES."

Introduced by: Representative Say.

1097 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS FOR JARRETT INTERMEDIATE SCHOOL."

Introduced by: Representative Say.

1098 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Say.

1099 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."

Introduced by: Representative Say.

1100 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSES."

Introduced by: Representative Say, by request.

1101 "A BILL FOR AN ACT RELATING TO DRIVER LICENSES."

Introduced by: Representative Say.

1102 "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE."

Introduced by: Representative Say, by request.

1103 "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION."

Introduced by: Representative Say.

1104 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representative Say.

1105 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative Say.

1106 "A BILL FOR AN ACT RELATING TO IOLANI PALACE."

Introduced by: Representative Say.

1107 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Say and Rhoads.

1108 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Representative Say, by request.

1109 "A BILL FOR AN ACT RELATING TO FUEL."

Introduced by: Representatives Say, Karamatsu and Yamashita.

1110 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Say, Karamatsu and Yamashita.

1111 "A BILL FOR AN ACT RELATING TO ALCOHOL FUELS."

Introduced by: Representatives Say, Karamatsu, Morita and Yamashita.

1112 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representatives Say, Karamatsu and Yamashita.

1113 "A BILL FOR AN ACT RELATING TO BIOFUELS PRODUCTION."

Introduced by: Representatives Say, Karamatsu and Yamashita.

1114 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Say, Karamatsu and Yamashita.

1115 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Say and Morita.

1116 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Say and Morita.

1117 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Green, Berg, Hanohano, Mizuno, Nishimoto, Shimabukuro, Takai, Bertram and Herkes.

1118 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Green, Mizuno, Evans, Hanohano and Herkes.

1119 "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTHCARE AND WORKFORCE DEVELOPMENT IN THE SHORT-TERM."

Introduced by: Representatives Green, Belatti, Chang, Lee, Mizuno, Takai, Bertram and Rhoads.

1120 "A BILL FOR AN ACT RELATING TO DENTAL HEALTH."

Introduced by: Representatives Green, Mizuno, Belatti and Tokioka.

1121 "A BILL FOR AN ACT RELATING TO WATER RATES FOR AGRICULTURAL USES."

Introduced by: Representatives Green, Berg and Hanohano.

1122 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ward, Finnegan and Meyer.

1123 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representatives Ward, Finnegan and Meyer.

1124 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Ward.

1125 "A BILL FOR AN ACT RELATING TO AN EXEMPTION TO THE GENERAL EXCISE TAX."

Introduced by: Representative Ward.

1126 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."

Introduced by: Representatives Har, Hanohano, Lee, Manahan, McKelvey, B. Oshiro, Waters, Berg, Carroll, Chang, Evans, Karamatsu, Mizuno, Nishimoto, M. Oshiro, Souki, Shimabukuro, Takumi, Tokioka, Tsuji and Wakai.

1127 "A BILL FOR AN ACT RELATING TO SMART GROWTH."

Introduced by: Representatives Har, Awana, Brower, Chang, Hanohano, Manahan, McKelvey, Tokioka, Waters and Ito.

1128 "A BILL FOR AN ACT RELATING TO COUNTY ZONING."

Introduced by: Representative Har, by request.

1129 "A BILL FOR AN ACT RELATING TO ANTITRUST."

Introduced by: Representatives Har, Hanohano, Manahan, McKelvey, Say, Waters, Chang, Ito and Tokioka.

1130 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representative Say, by request.

1131 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."

Introduced by: Representative Say, by request.

1132 "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS."

Introduced by: Representative Say, by request.

1133 "A BILL FOR AN ACT RELATING TO ELECTION DAY REGISTRATION."

Introduced by: Representative Say, by request.

1134 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

Introduced by: Representative Say, by request.

1135 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS."

Introduced by: Representative Say, by request.

1136 "A BILL FOR AN ACT RELATING TO PERMANENT ABSENTEE STATUS."

Introduced by: Representative Say, by request.

1137 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say, by request.

1138 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Representative Say, by request.

1139 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

1140 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Representative Say, by request.

1141 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

1142 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

1143 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Representative Say, by request.

1144 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Representative Say, by request.

1145 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORTING SYSTEM, KNOWN AS 3-1-1."

Introduced by: Representative Say, by request.

1146 "A BILL FOR AN ACT RELATING TO REHIRING OF GOVERNMENT RETIREES."

Introduced by: Representative Say, by request.

1147 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."

Introduced by: Representative Say, by request.

1148 "A BILL FOR AN ACT RELATING TO CHAPTER 803, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1149 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representative Say, by request.

1150 "A BILL FOR AN ACT RELATING TO CHAPTER 853, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1151 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Say, by request.

1152 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Say, by request.

1153 "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

1154 "A BILL FOR AN ACT RELATING TO CHAPTER 291, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1155 "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE."

Introduced by: Representative Say, by request.

1156 "A BILL FOR AN ACT RELATING TO THEFT."

Introduced by: Representative Say, by request.

1157 "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS."

Introduced by: Representative Say, by request.

1158 "A BILL FOR AN ACT RELATING TO ARSON."

Introduced by: Representative Say, by request.

1159 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

Introduced by: Representative Say, by request.

1160 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."

Introduced by: Representative Say, by request.

1161 "A BILL FOR AN ACT RELATING TO OFFENSE AGAINST THE PUBLIC ADMINISTRATION."

Introduced by: Representative Say, by request.

1162 "A BILL FOR AN ACT RELATING TO THE REHIRING OF RETIREES."

Introduced by: Representative Say, by request.

1163 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representative Say, by request.

1164 "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE AND COUNTY GOVERNMENTS."

Introduced by: Representative Say, by request.

1165 "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE AND COUNTY GOVERNMENT."

Introduced by: Representative Say, by request.

1166 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representative Say, by request.

1167 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOMELESS SHELTER PROGRAMS."

Introduced by: Representative Say, by request.

1168 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

1169 "A BILL FOR AN ACT RELATING TO HISTORIC SITES."

Introduced by: Representative Say, by request.

1170 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WEST HAWAII PERMANENT HOUSING PROGRAM."

Introduced by: Representative Say, by request.

1171 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representative Say, by request.

1172 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representative Say, by request.

1173 "A BILL FOR AN ACT RELATING TO EXCEPTIONS TO TORT ACTIONS."

Introduced by: Representative Say, by request.

1174 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representative Say, by request.

1175 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

1176 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Say, by request.

1177 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY ANTI-DRUG FUND."

Introduced by: Representative Say, by request.

1178 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Say, by request.

1179 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COUNTY OF HAWAI'I FOR COQUI FROG ERADICATION AND CONTROL."

Introduced by: Representative Say, by request.

1180 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NORTH KONA WATER SOURCE DEVELOPMENT AND STORAGE IMPROVEMENTS."

Introduced by: Representative Say, by request.

1181 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SWIMMING POOLS."

Introduced by: Representative Say, by request.

1182 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PUNA DISTRICT POLICE STATION IN KEA‘AU, HAWAI‘I."

Introduced by: Representative Say, by request.

1183 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF ANE KEOHOKALOLE ROAD IN KONA, HAWAII."

Introduced by: Representative Say, by request.

1184 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR THE PUNA RECREATIONAL COMPLEX IN PAHOA, HAWAI‘I."

Introduced by: Representative Say, by request.

1185 "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS."

Introduced by: Representative Say, by request.

1186 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representative Say, by request.

1187 "A BILL FOR AN ACT RELATING TO KULEANA LANDS."

Introduced by: Representative Say, by request.

1188 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION."

Introduced by: Representative Say, by request.

1189 "A BILL FOR AN ACT RELATING TO TEACHING THE HAWAIIAN LANGUAGE IN THE PUBLIC SCHOOLS."

Introduced by: Representative Say.

1190 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS IN THE UNIVERSITY OF HAWAII SYSTEM."

Introduced by: Representative Say, by request.

1191 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

1192 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

1193 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

1194 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Representative Say, by request.

1195 "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES."

Introduced by: Representative Say, by request.

1196 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT."

Introduced by: Representative Say, by request.

1197 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Representative Say, by request.

1198 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION."

Introduced by: Representative Say, by request.

1199 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

1200 "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

1201 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

1202 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Representative Say, by request.

1203 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Say, by request.

1204 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Representative Say, by request.

1205 "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACTS."

Introduced by: Representative Say, by request.

1206 "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS."

Introduced by: Representative Say, by request.

1207 "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS."

Introduced by: Representative Say, by request.

1208 "A BILL FOR AN ACT RELATING TO COURT FEES."

Introduced by: Representative Say, by request.

1209 "A BILL FOR AN ACT RELATING TO JUDICIARY."

Introduced by: Representative Say, by request.

1210 "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS."

Introduced by: Representative Say, by request.

1211 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Say, by request.

1212 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Representative Say, by request.

1213 "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS."

Introduced by: Representative Say, by request.

1214 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representative Say, by request.

1215 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representative Say, by request.

1216 "A BILL FOR AN ACT RELATING TO IMPACT FEES."

Introduced by: Representatives Har, Awana, Hanohano, Lee, Manahan, McKelvey and Shimabukuro.

1217 "A BILL FOR AN ACT RELATING TO INCENTIVES FOR IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representative Say, by request.

1218 "A BILL FOR AN ACT RELATING TO ANIMAL DISEASES."

Introduced by: Representative Say, by request.

1219 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF AGRICULTURE LOANS."

Introduced by: Representative Say, by request.

1220 "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING."

Introduced by: Representative Say, by request.

1221 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Say, by request.

1222 "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES."

Introduced by: Representative Say, by request.

1223 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representative Say, by request.

1224 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LAND USE."

Introduced by: Representative Say, by request.

1225 "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS."

Introduced by: Representative Say, by request.

1226 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE."

Introduced by: Representative Say, by request.

1227 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT."

Introduced by: Representative Say, by request.

1228 "A BILL FOR AN ACT RELATING TO THE OBLIGATION OF FUNDS."

Introduced by: Representative Say, by request.

1229 "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE."

Introduced by: Representative Say, by request.

1230 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representative Say, by request.

1231 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Introduced by: Representative Say, by request.

1232 "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."

Introduced by: Representative Say, by request.

1233 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

1234 "A BILL FOR AN ACT RELATING TO TESTIMONY."

Introduced by: Representative Say, by request.

1235 "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION."

Introduced by: Representative Say, by request.

1236 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

1237 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII REGARDING CHALLENGES TO CONSTITUTIONAL AMENDMENTS."

Introduced by: Representative Say, by request.

1238 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TESTIMONY OF DEFENDANTS IN CRIMINAL CASES."

Introduced by: Representative Say, by request.

1239 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Representative Say, by request.

1240 "A BILL FOR AN ACT RELATING TO DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS."

Introduced by: Representative Say, by request.

1241 "A BILL FOR AN ACT RELATING TO INFORMATION CHARGING."

Introduced by: Representative Say, by request.

1242 "A BILL FOR AN ACT RELATING TO CHAPTER 803."

Introduced by: Representative Say, by request.

1243 "A BILL FOR AN ACT RELATING TO THE REVIEW OF HOSPITAL ACQUISITIONS BY THE ATTORNEY GENERAL."

Introduced by: Representative Say, by request.

1244 "A BILL FOR AN ACT RELATING TO THE CHILD SUPPORT ENFORCEMENT AGENCY."

Introduced by: Representative Say, by request.

1245 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Representative Say, by request.

1246 "A BILL FOR AN ACT RELATING TO METAL."

Introduced by: Representative Say, by request.

1247 "A BILL FOR AN ACT RELATING TO CHAPTER 844D, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1248 "A BILL FOR AN ACT RELATING TO NAME CHANGES."

Introduced by: Representative Say, by request.

1249 "A BILL FOR AN ACT RELATING TO APPEALS."

Introduced by: Representative Say, by request.

1250 "A BILL FOR AN ACT RELATING TO ACTIONS BY AND AGAINST THE STATE."

Introduced by: Representative Say, by request.

1251 "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT."

Introduced by: Representative Say, by request.

1252 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

1253 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Representative Say, by request.

1254 "A BILL FOR AN ACT RELATING TO CHAPTER 291E, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1255 "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO NATURAL DISASTERS."

Introduced by: Representative Say, by request.

1256 "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT."

Introduced by: Representative Say, by request.

1257 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Say, by request.

1258 "A BILL FOR AN ACT RELATING TO ACTIONS FOR FALSE CLAIMS TO THE STATE."

Introduced by: Representative Say, by request.

1259 "A BILL FOR AN ACT RELATING TO PROMOTING INTOXICATING LIQUOR TO A MINOR."

Introduced by: Representative Say, by request.

1260 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Say, by request.

1261 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representative Say, by request.

1262 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AFFORDABLE HOUSING."

Introduced by: Representative Say, by request.

1263 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

1264 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

1265 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION."

Introduced by: Representative Say, by request.

1266 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

1267 "A BILL FOR AN ACT RELATING TO ENERGY SECURITY AND ENERGY EMERGENCY PREPAREDNESS."

Introduced by: Representative Say, by request.

1268 "A BILL FOR AN ACT RELATING TO INNOVATION IN EDUCATION."

Introduced by: Representative Say, by request.

1269 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

1270 "A BILL FOR AN ACT RELATING TO STATE PLANNING."

Introduced by: Representative Say, by request.

1271 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representative Say, by request.

1272 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representative Say, by request.

1273 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Representative Say, by request.

1274 "A BILL FOR AN ACT RELATING TO COMMUNITY ECONOMIC DEVELOPMENT."

Introduced by: Representative Say, by request.

1275 "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION."

Introduced by: Representative Say, by request.

1276 "A BILL FOR AN ACT RELATING TO KALAELOA."

Introduced by: Representative Say, by request.

1277 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representative Say, by request.

1278 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP."

Introduced by: Representative Say, by request.

1279 "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY."

Introduced by: Representative Say, by request.

1280 "A BILL FOR AN ACT RELATING TO INNOVATION IN WORKFORCE DEVELOPMENT."

Introduced by: Representative Say, by request.

1281 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS."

Introduced by: Representative Say, by request.

1282 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

1283 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say, by request.

1284 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representative Say, by request.

1285 "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM PROCUREMENT."

Introduced by: Representative Say, by request.

1286 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS."

Introduced by: Representative Say, by request.

1287 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Representative Say, by request.

1288 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII SECTION 529 COLLEGE SAVINGS PROGRAM."

Introduced by: Representative Say, by request.

1289 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Say, by request.

1290 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say, by request.

1291 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

1292 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

1293 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY."

Introduced by: Representative Say, by request.

1294 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representative Say, by request.

1295 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1296 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1297 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1298 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1299 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1300 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1301 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1302 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1303 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1304 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1305 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Say, by request.

1306 "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS."

Introduced by: Representative Say, by request.

1307 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Representative Say, by request.

1308 "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSUMER ADVOCACY."

Introduced by: Representative Say, by request.

1309 "A BILL FOR AN ACT RELATING TO FORMATION OF A RENEWABLE ENERGY FACILITIES SITING COUNCIL."

Introduced by: Representative Say, by request.

1310 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR ENERGY STAR RATED APPLIANCES."

Introduced by: Representative Say, by request.

1311 "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS."

Introduced by: Representative Say, by request.

1312 "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES."

Introduced by: Representative Say, by request.

1313 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Representative Say, by request.

1314 "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE."

Introduced by: Representative Say, by request.

1315 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS."

Introduced by: Representative Say, by request.

1316 "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND."

Introduced by: Representative Say, by request.

1317 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1318 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION."

Introduced by: Representative Say, by request.

1319 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1320 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1321 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG PLANS."

Introduced by: Representative Say, by request.

1322 "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING."

Introduced by: Representative Say, by request.

1323 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Representative Say, by request.

1324 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1325 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Say, by request.

1326 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Representative Say, by request.

1327 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Representative Say, by request.

1328 "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS."

Introduced by: Representative Say, by request.

1329 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

1330 "A BILL FOR AN ACT RELATING TO TAXATION OF INSURANCE PREMIUMS."

Introduced by: Representative Say, by request.

1331 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Say, by request.

1332 "A BILL FOR AN ACT RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD."

Introduced by: Representative Say, by request.

1333 "A BILL FOR AN ACT RELATING TO GASOLINE PRICE GOUGING."

Introduced by: Representative Say, by request.

1334 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES."

Introduced by: Representative Say, by request.

1335 "A BILL FOR AN ACT RELATING TO CHAPTER 460, HAWAII REVISED STATUTES, OSTEOPATHY."

Introduced by: Representative Say, by request.

1336 "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS."

Introduced by: Representative Say, by request.

1337 "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY."

Introduced by: Representative Say, by request.

1338 "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY."

Introduced by: Representative Say, by request.

1339 "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER."

Introduced by: Representative Say, by request.

1340 "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT PROGRAM."

Introduced by: Representative Say, by request.

1341 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE AGENCY."

Introduced by: Representative Say, by request.

1342 "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES."

Introduced by: Representative Say, by request.

1343 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Say, by request.

1344 "A BILL FOR AN ACT RELATING TO UNIFORM MAINTENANCE ALLOWANCE FOR ENLISTED PERSONNEL."

Introduced by: Representative Say, by request.

1345 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS."

Introduced by: Representative Say, by request.

1346 "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS."

Introduced by: Representative Say, by request.

1347 "A BILL FOR AN ACT RELATING TO TEACHING."

Introduced by: Representative Say, by request.

1348 "A BILL FOR AN ACT RELATING TO STUDENT BEHAVIOR."

Introduced by: Representative Say, by request.

1349 "A BILL FOR AN ACT RELATING TO AN EXEMPTION FOR THE MALULANI HEALTH AND MEDICAL CENTER, L.L.C., PROJECT FROM THE CERTIFICATE OF NEED REQUIREMENT OF CHAPTER 323D, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1350 "A BILL FOR AN ACT RELATING TO ACCESS TO HEALTH CARE."

Introduced by: Representative Say, by request.

1351 "A BILL FOR AN ACT RELATING TO NURSING."

Introduced by: Representative Say, by request.

1352 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD."

Introduced by: Representative Say, by request.

1353 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Representative Say, by request.

1354 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Representative Say, by request.

1355 "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES."

Introduced by: Representative Say, by request.

1356 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH."

Introduced by: Representative Say, by request.

1357 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Representative Say, by request.

1358 "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY."

Introduced by: Representative Say, by request.

1359 "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM."

Introduced by: Representative Say, by request.

1360 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Representative Say, by request.

1361 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

1362 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY."

Introduced by: Representative Say, by request.

1363 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE."

Introduced by: Representative Say, by request.

1364 "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."

Introduced by: Representative Say, by request.

1365 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS."

Introduced by: Representative Say, by request.

1366 "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES."

Introduced by: Representative Say, by request.

1367 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representative Say, by request.

1368 "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND."

Introduced by: Representative Say, by request.

1369 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS OF PERSONS PROVIDING SERVICES TO CONSUMERS OF THE ADULT MENTAL HEALTH DIVISION OF THE DEPARTMENT OF HEALTH."

Introduced by: Representative Say, by request.

1370 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."

Introduced by: Representative Say, by request.

1371 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH."

Introduced by: Representative Say, by request.

1372 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH."

Introduced by: Representative Say, by request.

1373 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES."

Introduced by: Representative Say, by request.

1374 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representative Say, by request.

1375 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representative Say, by request.

1376 "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL."

Introduced by: Representative Say, by request.

1377 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say, by request.

1378 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH."

Introduced by: Representative Say, by request.

1379 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Representative Say, by request.

1380 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION STRESS CLAIMS."

Introduced by: Representative Say, by request.

1381 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION MEDICAL CARE."

Introduced by: Representative Say, by request.

1382 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION ALTERNATIVE DISPUTE RESOLUTION."

Introduced by: Representative Say, by request.

1383 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Say, by request.

1384 "A BILL FOR AN ACT RELATING TO TIP CREDIT."

Introduced by: Representative Say, by request.

1385 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Representative Say, by request.

1386 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION MEDICAL TREATMENT."

Introduced by: Representative Say, by request.

1387 "A BILL FOR AN ACT RELATING TO DERELICT VESSELS."

Introduced by: Representative Say, by request.

1388 "A BILL FOR AN ACT RELATING TO THE HAWAII OCEAN AND COASTAL COUNCIL."

Introduced by: Representative Say, by request.

1389 "A BILL FOR AN ACT RELATING TO TIME SHARES IN LAND COURT."

Introduced by: Representative Say, by request.

1390 "A BILL FOR AN ACT RELATING TO ACQUISITIONS UNDER CHAPTER 173A."

Introduced by: Representative Say, by request.

1391 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representative Say, by request.

1392 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Representative Say, by request.

1393 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)."

Introduced by: Representative Say, by request.

1394 "A BILL FOR AN ACT RELATING TO GOVERNMENT BOARDS."

Introduced by: Representative Say, by request.

1395 "A BILL FOR AN ACT RELATING TO INTERVENTION FOR SUBSTANCE ABUSE."

Introduced by: Representative Say, by request.

1396 "A BILL FOR AN ACT RELATING TO INTEREST ARBITRATION."

Introduced by: Representative Say, by request.

1397 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representative Say, by request.

1398 "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS."

Introduced by: Representative Say, by request.

1399 "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS."

Introduced by: Representative Say, by request.

1400 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."

Introduced by: Representative Say, by request.

1401 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

1402 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."

Introduced by: Representative Say, by request.

1403 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."

Introduced by: Representative Say, by request.

1404 "A BILL FOR AN ACT RELATING TO PRISON LITIGATION."

Introduced by: Representative Say, by request.

1405 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Say, by request.

1406 "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR."

Introduced by: Representative Say, by request.

1407 "A BILL FOR AN ACT RELATING TO INCREASING THE STANDARD DEDUCTION FOR INDIVIDUAL INCOME TAXATION."

Introduced by: Representative Say, by request.

1408 "A BILL FOR AN ACT RELATING TO INFLATION ADJUSTMENTS TO CHAPTER 235, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

1409 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say, by request.

1410 "A BILL FOR AN ACT RELATING TO AN EXEMPTION FROM THE GENERAL EXCISE TAX."

Introduced by: Representative Say, by request.

1411 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Representative Say, by request.

1412 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES."

Introduced by: Representative Say, by request.

1413 "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION."

Introduced by: Representative Say, by request.

1414 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS."

Introduced by: Representative Say, by request.

1415 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS TAX CREDITS."

Introduced by: Representative Say, by request.

1416 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION ON THE SALE OF ALTERNATIVE FUEL."

Introduced by: Representative Say, by request.

1417 "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DIVIDENDS RECEIVED DEDUCTION WITH RESPECT TO DIVIDENDS RECEIVED BY REAL ESTATE INVESTMENT TRUSTS."

Introduced by: Representative Say, by request.

1418 "A BILL FOR AN ACT RELATING TO ELECTRONIC FILING OF TAX RETURNS."

Introduced by: Representative Say, by request.

1419 "A BILL FOR AN ACT RELATING TO ARTICLE VII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

1420 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX."

Introduced by: Representative Say, by request.

1421 "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE."

Introduced by: Representative Say, by request.

1422 "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY."

Introduced by: Representative Say, by request.

1423 "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES."

Introduced by: Representative Say, by request.

1424 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Say, by request.

1425 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Say, by request.

1426 "A BILL FOR AN ACT RELATING TO DEFERRED PLEAS."

Introduced by: Representative Say, by request.

1427 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Say, by request.

1428 "A BILL FOR AN ACT RELATING TO TRANSFERS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND."

Introduced by: Representative Say, by request.

1429 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION."

Introduced by: Representative Say, by request.

1430 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

1431 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

1432 "A BILL FOR AN ACT RELATING TO STATEWIDE WIRELESS ACCESS."

Introduced by: Representatives M. Oshiro, Brower, Cabanilla, Chang, Chong, Evans, Hanohano, Lee, Magaoay, Nishimoto, Say, Shimabukuro, Takumi, Yamashita, Berg, Rhoads and Souki.

1433 "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS."

Introduced by: Representatives M. Oshiro, Lee, Luke, Magaoay, Hanohano, Nishimoto, Souki and Takumi.

1434 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."

Introduced by: Representative M. Oshiro.

1435 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND."

Introduced by: Representative M. Oshiro.

1436 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION."

Introduced by: Representatives Belatti, Cabanilla, Ching, Luke, Takumi, Berg, Bertram, Brower, Caldwell and Hanohano.

1437 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representatives Belatti, Berg, Brower, Hanohano, Luke, Bertram, Caldwell, Finnegan, Rhoads, Souki and Takumi.

1438 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Belatti, Berg, Brower, Hanohano, Luke, Rhoads, Bertram, Cabanilla, Caldwell, Finnegan, Meyer, Souki and Takumi.

1439 "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES."

Introduced by: Representatives Belatti, Cabanilla, Caldwell, Rhoads, Takumi, Berg, Bertram, Brower, Hanohano and Souki.

1440 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Hanohano, Awana, Shimabukuro, Belatti, Evans, Green and Tokioka.

1441 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR THE PUNA RECREATIONAL COMPLEX IN PAHOA, HAWAII."

Introduced by: Representatives Hanohano, Awana, Shimabukuro, Evans, Green, Herkes and Tokioka.

1442 "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA."

Introduced by: Representatives Hanohano, Awana, Chang, Evans, Green, Sagum, Shimabukuro, Tokioka and Herkes.

1443 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE."

Introduced by: Representative Nishimoto, by request.

1444 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Representatives Nishimoto and Luke.

1445 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Representatives Nishimoto and Luke.

1446 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Nishimoto and Luke.

1447 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Nishimoto and Luke.

1448 "A BILL FOR AN ACT RELATING TO HEALTH CARE ZONES."

Introduced by: Representative Green.

1449 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Green.

1450 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Green.

1451 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS."

Introduced by: Representatives Green, Mizuno and Tokioka.

1452 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green, Mizuno, Bertram and Rhoads.

1453 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS."

Introduced by: Representatives Green, Berg and Bertram.

1454 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS."

Introduced by: Representatives Green, Berg and Bertram.

1455 "A BILL FOR AN ACT RELATING TO QUEST ENROLLMENT."

Introduced by: Representatives Green, Chang, Takai and Bertram.

1456 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Representative Green.

1457 "A BILL FOR AN ACT RELATING TO AT-RISK PERSONS ON HAWAII ISLAND."

Introduced by: Representatives Green, Hanohano, Berg and Evans.

1458 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Green, Caldwell, Hanohano, Mizuno and Herkes.

1459 "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE."

Introduced by: Representatives Green, Evans, Mizuno, Tsuji, Hanohano and Herkes.

1460 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative Green.

1461 "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE."

Introduced by: Representative Green.

1462 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

1463 "A BILL FOR AN ACT RELATING TO CIGARETTE TAX."

Introduced by: Representative Green.

1464 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green, Belatti and Bertram.

1465 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Introduced by: Representatives Green and Rhoads.

1466 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Representatives Green, Mizuno, Belatti and Bertram.

1467 "A BILL FOR AN ACT RELATING TO A TWO-YEAR HEPATITIS C DEMONSTRATION PROJECT."

Introduced by: Representatives Green, Belatti, Bertram and Rhoads.

1468 "A BILL FOR AN ACT RELATING TO NURSE AIDES."

Introduced by: Representative Green.

1469 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH."

Introduced by: Representative Green.

1470 "A BILL FOR AN ACT RELATING TO FORENSIC EXAMINERS."

Introduced by: Representative Green.

1471 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH."

Introduced by: Representatives Green, Lee, Magaoay, Mizuno, Shimabukuro and Belatti.

1472 "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS."

Introduced by: Representatives Green, Evans, Hanohano and Tsuji.

1473 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representative Green.

1474 "A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS."

Introduced by: Representative Green.

1475 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

Introduced by: Representatives Green, Mizuno, Sonson and Rhoads.

1476 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representatives Green, Chang, Takai, Belatti, Bertram and Rhoads.

1477 "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING."

Introduced by: Representatives Green, Carroll, Chang, Evans, McKelvey and Yamashita.

1478 "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM."

Introduced by: Representatives Green, Mizuno, Belatti, Bertram and Rhoads.

1479 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESSES."

Introduced by: Representatives Green, Chang, Mizuno, Takai, Waters and Bertram.

1480 "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM."

Introduced by: Representatives Green, Belatti, Bertram and Rhoads.

1481 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC."

Introduced by: Representative Green.

1482 "A BILL FOR AN ACT RELATING TO STATE MONUMENTS."

Introduced by: Representative Marumoto.

1483 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representative Marumoto.

1484 "A BILL FOR AN ACT RELATING TO SPEEDING."

Introduced by: Representatives Waters, Tokioka and Magaoay.

1485 "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL."

Introduced by: Representatives Waters and Tokioka.

1486 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Waters and Tokioka.

1487 "A BILL FOR AN ACT RELATING TO LOW-INCOME REFUNDABLE TAX CREDIT."

Introduced by: Representative Saiki.

1488 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO ESTABLISH LEGISLATIVE TERM LIMITS."

Introduced by: Representative Saiki.

1489 "A BILL FOR AN ACT RELATING TO THE STATE ETHICS CODE."

Introduced by: Representative Saiki.

1490 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Saiki.

1491 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."

Introduced by: Representative Saiki.

1492 "A BILL FOR AN ACT RELATING TO CAPITOL BUILDING GIFT SHOP."

Introduced by: Representatives Lee, Evans, Ito, Karamatsu, Magaoay, Manahan, Tsuji, Morita and Souki.

1493 "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION."

Introduced by: Representative Lee.

1494 "A BILL FOR AN ACT RELATING TO FUEL."

Introduced by: Representative Lee.

1495 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PALLIATIVE CARE RESOURCES."

Introduced by: Representatives Lee, Chong, Evans, Ito, Mizuno, Tokioka, Waters, Yamane and Rhoads.

1496 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Morita, Magaoay, Saiki, Carroll, Chong and Ito.

1497 "A BILL FOR AN ACT RELATING TO AIRCRAFT NOISE."

Introduced by: Representatives Morita, Carroll, Chong, Saiki, Ito and Magaoay.

1498 "A BILL FOR AN ACT RELATING TO SOLAR WATER HEATING."

Introduced by: Representatives Morita, Saiki, Carroll and Ito.

1499 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Representatives Morita, Magaoay, Saiki, Carroll, Chong and Ito.

1500 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representative Nakasone.

1501 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Nakasone.

1502 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Representatives Takamine, Hanohano, Lee, Takumi, Chang, Herkes, McKelvey, Souki and Tsuji.

1503 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representatives Takamine, Mizuno, Morita, Takai, Takumi, Belatti, Chang, Chong, Hanohano, M. Oshiro, Saiki, Souki, Tsuji and Yamane.

1504 "A BILL FOR AN ACT RELATING TO THE BLIND PERSONS' AND LITERACY RIGHTS AND EDUCATION ACT."

Introduced by: Representative Takumi.

1505 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION."

Introduced by: Representative Takumi.

1506 "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES."

Introduced by: Representative Takumi, by request.

1507 "A BILL FOR AN ACT RELATING TO EARLY EDUCATION."

Introduced by: Representative Takumi.

1508 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representative Takumi.

1509 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representatives Awana, Hanohano and McKelvey.

1510 "A BILL FOR AN ACT RELATING TO THE EXCLUSION OF PROCEEDS FROM THE MANUFACTURE, PACKAGING, AND SALE OF FOOD FROM GENERAL EXCISE TAX LIABILITY."

Introduced by: Representatives Awana and Hanohano.

1511 "A BILL FOR AN ACT RELATING TO IRRADIATION PLANTS."

Introduced by: Representative Manahan, by request.

1512 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representatives Manahan, Marumoto, Sonson, Brower, Hanohano, Magaoay, Mizuno, Rhoads, Wakai, Waters and Yamane.

1513 "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES."

Introduced by: Representatives Manahan, Brower, Chang, Finnegan, Lee, Magaoay, McKelvey, Mizuno, Rhoads, Tokioka, Tsuji, Waters, Bertram, Carroll, Karamatsu, Morita, B. Oshiro, Souki and Takamine.

1514 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Manahan, Mizuno, Waters, Bertram, McKelvey, B. Oshiro, Rhoads and Tsuji.

1515 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Manahan, Chang, Brower, Carroll, Karamatsu, Lee, Mizuno and Souki.

1516 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR."

Introduced by: Representatives Magaoay, Chong, Karamatsu, Manahan, Rhoads and Souki.

1517 "A BILL FOR AN ACT RELATING TO ARCHITECTS."

Introduced by: Representatives Magaoay, Chang, Karamatsu, Manahan, Mizuno, Chong, Tokioka and Yamashita.

1518 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS."

Introduced by: Representatives Magaoay, Chong and Manahan.

1519 "A BILL FOR AN ACT RELATING TO BUILDING CODES."

Introduced by: Representatives Magaoay and Manahan.

1520 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Introduced by: Representative Berg.

1521 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Representatives Berg, Hanohano, Shimabukuro, Belatti, Bertram, Wakai and Waters.

1522 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Berg, Belatti, Shimabukuro, Bertram, Brower, Rhoads, Takumi, Wakai and Yamane.

1523 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representatives Berg, Shimabukuro, Belatti, Bertram, Brower, Takamine, Takumi and Wakai.

1524 "A BILL FOR AN ACT RELATING TO GREENHOUSE GASES."

Introduced by: Representatives Berg, Shimabukuro, Wakai, Belatti and Bertram.

1525 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO WEST MAUI SOIL AND WATER CONSERVATION DISTRICT."

Introduced by: Representatives Souki, Tsuji and Yamashita.

1526 "A BILL FOR AN ACT RELATING TO INMATE REINTEGRATION PROGRAMS."

Introduced by: Representatives Souki, Bertram, Carroll, McKelvey and Yamashita.

1527 "A BILL FOR AN ACT RELATING TO COLLEGE PREPARATORY PROGRAMS."

Introduced by: Representatives Chang, Manahan, McKelvey, Nishimoto, Tokioka, Wakai, Bertram, Brower, Karamatsu, Lee and Takamine.

1528 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Bertram, Brower, Karamatsu, Lee, Manahan, McKelvey, Nishimoto, Tokioka and Wakai.

1529 "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Carroll, Ching, Green, Hanohano, Herkes, Karamatsu, Lee, Manahan, Marumoto, McKelvey, Mizuno, Nishimoto, Rhoads, Sonson, Wakai, Bertram, Brower, Evans, Ito, Takamine and Tokioka.

1530 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Lee, Manahan, McKelvey, Nishimoto, Wakai, Bertram, Brower, Karamatsu, Rhoads and Tokioka.

1531 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Green, Hanohano, Ito, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Mizuno, Nishimoto, Tokioka, Wakai, Berg, Bertram, Brower, Caldwell, Carroll, Evans, Rhoads, Say and Takamine.

1532 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Shimabukuro.

1533 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representatives Shimabukuro and Awana.

1534 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COVERAGE OF CERTIFIED SUBSTANCE ABUSE COUNSELORS."

Introduced by: Representatives Shimabukuro and Awana.

1535 "A BILL FOR AN ACT RELATING TO HEMP."

Introduced by: Representative Shimabukuro.

1536 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Shimabukuro, by request.

1537 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Bertram, Awana, Hanohano, Magaoay, Mizuno and Souki.

1538 "A BILL FOR AN ACT RELATING TO PUBLIC LAND."

Introduced by: Representatives Bertram, Brower, Hanohano, Mizuno, Carroll, Chong, Ito, Magaoay, McKelvey, Morita, Souki and Yamashita.

1539 "A BILL FOR AN ACT MAKES AN APPROPRIATION FOR DEVELOPMENT AND IMPLEMENTATION OF MANAGEMENT PLAN FOR MAKENA-LA PEROUSE, MAUI."

Introduced by: Representatives Bertram, Thielen, Carroll, Chong, Hanohano, Ito, Magaoay, McKelvey, Mizuno, Morita, Souki and Yamashita.

1540 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Representatives Bertram, Hanohano, Takai, Carroll, McKelvey, Mizuno, Morita and Rhoads.

1541 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES."

Introduced by: Representatives Bertram, Hanohano, Takai, Carroll, McKelvey, Mizuno, Morita, Rhoads and Yamashita.

1542 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Brower, Belatti, Berg, Hanohano, Mizuno, Morita, B. Oshiro, Rhoads, Takai, Carroll, Shimabukuro and Yamashita.

1543 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Brower, B. Oshiro, Takai, Carroll and Karamatsu.

1544 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Brower, Belatti, Manahan, Mizuno, Morita, B. Oshiro, Rhoads, Shimabukuro, Takai, Berg, Carroll, Hanohano, Karamatsu, McKelvey and Yamashita.

1545 "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION."

Introduced by: Representatives Brower, Takai, Hanohano, Karamatsu, Mizuno, and B. Oshiro.

1546 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Brower, Berg, Karamatsu, Takai, Hanohano, McKelvey, Mizuno, B. Oshiro, Shimabukuro and Yamashita.

1547 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Representative Cabanilla.

1548 "A BILL FOR AN ACT RELATING TO DRUG TREATMENT."

Introduced by: Representatives Cabanilla, Awana, Chang, Ching, Finnegan, Hanohano, Meyer, Sonson, Belatti, Green, Lee, Manahan and Mizuno.

1549 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT INVESTIGATION."

Introduced by: Representatives Cabanilla, Brower, Takai, Bertram, Lee, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Souki and Wakai.

1550 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representatives Cabanilla, Thielen, Hanohano, Mizuno, B. Oshiro and Sagum.

1551 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Cabanilla.

1552 "A BILL FOR AN ACT RELATING TO FAMILY."

Introduced by: Representatives Magaoay and Chang.

1553 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF KAIMUKI HIGH SCHOOL."

Introduced by: Representative Say.

1554 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF AGRICULTURAL LOANS."

Introduced by: Representative Say.

1555 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representative Say.

1556 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Say.

1557 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Say.

1558 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representative Say.

1559 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Hanohano and Meyer.

1560 "A BILL FOR AN ACT RELATING TO TRANSIT."

Introduced by: Representatives Sonson, Bertram, Brower, Carroll, Chong, Hanohano, Ito, Karamatsu, Lee, Magaoay, Manahan, Morita, M. Oshiro, Souki, Tokioka and Yamane.

1561 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representatives Sonson, Lee, M. Oshiro, Takumi, Belatti, Berg, Bertram, Brower, Cabanilla, Carroll, Chang, Chong, Hanohano, Ito, Magaoay, Manahan, McKelvey, Mizuno, Morita, Souki, Tokioka and Yamane.

1562 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Sonson.

1563 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1564 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1565 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1566 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1567 "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS."

Introduced by: Representative Sonson.

1568 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1569 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1570 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1571 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1572 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representative Sonson.

1573 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES."

Introduced by: Representative Sonson.

1574 "A BILL FOR AN ACT RELATING TO WATER POLLUTION."

Introduced by: Representatives Carroll, Berg, Morita, Belatti, Karamatsu, Lee, and M. Oshiro.

1575 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Carroll, Belatti, Berg, Hanohano, Morita, Brower, Karamatsu, Lee, and M. Oshiro.

1576 "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM."

Introduced by: Representatives Carroll, McKelvey, Yamashita, Har, Lee, Manahan, Nishimoto, Shimabukuro, Souki and Tsuji.

1577 "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED COFFEE."

Introduced by: Representatives Carroll, Berg, Hanohano, Morita and Belatti.

1578 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Representatives Carroll, Berg, Karamatsu, Lee, and M. Oshiro.

1579 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR IMPROVEMENTS AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR."

Introduced by: Representatives Ito, Mizuno, Bertram, Souki and Yamashita.

1580 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Representatives Ito, Carroll, Chong, Hanohano, Magaoay, Manahan and Morita.

1581 "A BILL FOR AN ACT RELATING TO OCEAN HEALTH CONSENSUS."

Introduced by: Representatives Ito, Evans, Lee, Magaoay, Tsuji, Yamane, Yamashita, Bertram, Mizuno and Souki.

1582 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AVIATION MUSEUM AT PEARL HARBOR."

Introduced by: Representatives Ito, Evans, Tsuji, Yamane, Bertram, Magaoay, Mizuno, Souki and Yamashita.

1583 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives Ito, Bertram, Mizuno, Evans, Souki and Yamashita.

1584 "A BILL FOR AN ACT RELATING TO PEDESTRIANS."

Introduced by: Representatives Luke, Wakai, Belatti, Bertram, Brower, Carroll, Chong, Finnegan, Green, Magaoay, Marumoto, Mizuno, Shimabukuro, Takamine, Tsuji and Yamashita.

1585 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOTORCYCLES."

Introduced by: Representatives Luke, Berg, Brower, Green, Hanohano, Marumoto, Mizuno, Morita, Nishimoto, Rhoads, Shimabukuro, Takai, Thielen, Wakai, Belatti, Bertram, Carroll, Chong, Finnegan, Magaoay, McKelvey, Takamine, Tsuji and Yamashita.

1586 "A BILL FOR AN ACT RELATING TO EXPUNGEMENT ORDERS."

Introduced by: Representatives Luke, Berg, Bertram, Brower, Carroll, Chong, Finnegan, McKelvey, Nishimoto, B. Oshiro, Rhoads, Shimabukuro, Takumi, Thielen, Wakai, Waters and Yamashita.

1587 "A BILL FOR AN ACT RELATING TO UNMARRIED COUPLES."

Introduced by: Representatives Luke, B. Oshiro and Saiki.

1588 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Luke.

1589 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives B. Oshiro, Caldwell, Luke, Saiki and Waters.

1590 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."

Introduced by: Representatives B. Oshiro, Bertram, Herkes, Magaoay, Mizuno, Tsuji, Yamashita, Brower, Caldwell, Chang, Har, Ito, Karamatsu, Manahan, McKelvey, Rhoads, Shimabukuro, Souki and Takumi.

1591 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."

Introduced by: Representatives B. Oshiro, Herkes, Magaoay, Mizuno, Tsuji, Yamashita, Bertram, Caldwell, Har, Karamatsu, Manahan, Shimabukuro, Souki, Takumi and Yamane.

1592 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."

Introduced by: Representatives B. Oshiro, Caldwell, Har, Herkes, Magaoay, Manahan, McKelvey, Mizuno, Tsuji, Yamashita, Bertram, Brower, Ito, Rhoads, Shimabukuro, Souki, Takumi and Yamane.

1593 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."

Introduced by: Representatives B. Oshiro, Bertram, Herkes, Magaoay, Mizuno, Yamashita, Brower, Caldwell, Har, Ito, Karamatsu, Manahan, McKelvey, Rhoads, Shimabukuro, Souki, Takumi, Tsuji and Yamane.

1594 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Yamane, Chong and Berg.

1595 "A BILL FOR AN ACT RELATING TO PETROLEUM PRICE GOUGING."

Introduced by: Representatives Mizuno, Green, Thielen, Bertram, Carroll, Evans, Magaoay, Manahan, Sonson, Tsuji and Waters.

1596 "A BILL FOR AN ACT RELATING TO FINES FOR DRIVING UNDER THE INFLUENCE OF AN INTOXICANT."

Introduced by: Representatives Mizuno, Awana, Brower, Evans, Finnegan, Green, Hanohano, Magaoay, Manahan, McKelvey, Nishimoto, Pine, Rhoads, Thielen, Belatti, Bertram, Carroll, B. Oshiro, Sagum, Tsuji, Ward and Waters.

1597 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Mizuno, Finnegan, Sonson, Bertram, Brower, Carroll, Hanohano, Magaoay, Manahan, B. Oshiro, Souki and Tsuji.

1598 "A BILL FOR AN ACT RELATING TO HEALTHCARE."

Introduced by: Representatives Mizuno, Bertram, Carroll, Green, Waters, Brower, Magaoay, Manahan and Souki.

1599 "A BILL FOR AN ACT RELATING TO COMMUNITY PLACEMENT."

Introduced by: Representatives Mizuno, Carroll, Evans, Finnegan, Hanohano, Magaoay, Manahan, McKelvey, Pine, Sonson, Waters, Bertram, Brower, Nishimoto, B. Oshiro, Rhoads, Tsuji and Ward.

1600 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Chong.

1601 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Ito, Magaoay, Manahan, Tsuji, Yamashita and Lee.

1602 "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE."

Introduced by: Representatives Chong, Ito, Tsuji, Yamashita and Souki.

1603 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS."

Introduced by: Representatives Chong, Ito, Magaoay, McKelvey, Waters, Yamashita, Belatti, Brower, Hanohano, Lee, M. Oshiro and Souki.

1604 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Ito, Waters, Yamashita, Lee, and M. Oshiro.

1605 "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL."

Introduced by: Representatives McKelvey, Bertram, Carroll, Souki and Yamashita.

1606 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives McKelvey, Carroll, Bertram and Souki.

1607 "A BILL FOR AN ACT RELATING TO PUBLIC BEACHES."

Introduced by: Representatives McKelvey, Waters, Yamashita, Bertram, Carroll, Evans, Hanohano and Manahan.

1608 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives McKelvey, Awana, Bertram, Carroll, Evans and Har.

1609 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives McKelvey, Evans, Har, Herkes, Carroll, Souki and Tokioka.

1610 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representative Waters.

1611 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives Waters, Magaoay, Tokioka, Caldwell, and M. Oshiro.

1612 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES."

Introduced by: Representatives Waters and Magaoay.

1613 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Waters, Magaoay and Souki.

1614 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representatives Waters, Caldwell, Magaoay, Tokioka, and M. Oshiro.

1615 "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A SHELLFISH AQUACULTURE INDUSTRY."

Introduced by: Representatives Wakai, Belatti, Magaoay, Nishimoto, B. Oshiro, Shimabukuro, Yamashita and Bertram.

1616 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Representatives Wakai, Belatti, Magaoay, Nishimoto, B. Oshiro, Yamashita and Bertram.

1617 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Wakai.

1618 "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE."

Introduced by: Representative Wakai.

1619 "A BILL FOR AN ACT RELATING TO SCRAP DEALERS."

Introduced by: Representatives Wakai, Brower, Cabanilla, Nishimoto, Tsuji, Yamashita, Carroll and Evans.

1620 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Rhoads.

1621 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Rhoads.

1622 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED PROGRAM."

Introduced by: Representatives Rhoads, Belatti and Brower.

1623 "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY."

Introduced by: Representatives Rhoads, Belatti and Brower.

1624 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Rhoads.

1625 "A BILL FOR AN ACT RELATING TO THE STATE LIBRARY SYSTEM."

Introduced by: Representative Herkes.

1626 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative Herkes, by request.

1627 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative Herkes, by request.

1628 "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING."

Introduced by: Representative Herkes.

1629 "A BILL FOR AN ACT RELATING TO CORPORATION INCOME TAX."

Introduced by: Representatives Yamashita and Chong.

1630 "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT."

Introduced by: Representatives Yamashita, Caldwell, Chang, Chong, Karamatsu, Manahan, Say, Tsuji, Wakai, Yamane and Nakasone.

1631 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representatives Yamashita, Chong, Karamatsu, Manahan, Say, Tsuji, Wakai, Yamane, Caldwell, Chang and Nakasone.

1632 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representatives Yamashita, Caldwell, Chong, Karamatsu, Manahan, Tsuji, Wakai, Yamane, Chang, Nakasone and Say.

1633 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Meyer and Cabanilla.

1634 "A BILL FOR AN ACT RELATING TO OFFICE OF INTERNATIONAL RELATIONS."

Introduced by: Representatives Meyer and Cabanilla.

1635 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives Meyer and Cabanilla.

1636 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Meyer and Cabanilla.

1637 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Meyer, Cabanilla and Ward.

1638 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Tsuji, Brower, Chong, Hanohano, Morita, Yamashita, Chang, Evans, Ito, Manahan and Wakai.

1639 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representatives Tsuji, Brower, Chang, Chong, Evans, Hanohano, Ito, Manahan and Yamashita.

1640 "A BILL FOR AN ACT RELATING TO PERMITS."

Introduced by: Representatives Tsuji, Brower, Hanohano, Herkes, Ito, Yamashita, Chong, Evans, Green, Manahan, Takamine and Wakai.

1641 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Representatives Tsuji, Brower, Chang, Chong, Hanohano, Ito, Manahan, Yamashita and Wakai.

1642 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRD REPRESENTATIVE DISTRICT."

Introduced by: Representatives Tsuji and Hanohano.

1643 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Caldwell.

1644 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Caldwell, Green and Mizuno.

1645 "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."

Introduced by: Representatives Caldwell, B. Oshiro and Waters.

1646 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Representatives Caldwell and Tsuji.

1647 "A BILL FOR AN ACT RELATING TO UNDERGROUNDING OF OVERHEAD UTILITIES."

Introduced by: Representatives Caldwell, Morita, B. Oshiro, Thielen and Waters.

1648 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Ching, Chang, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine, Thielen, Belatti, Berg, Bertram, Brower, Carroll, Chong, Evans, Hanohano, Herkes, Ito, Lee, Magaoay, Mizuno, Morita, M. Oshiro, Sonson, Takamine, Takumi, Tokioka and Yamashita.

1649 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Ching, Bertram, Hanohano, Marumoto, Carroll, Magaoay, Morita, Rhoads and Yamashita.

1650 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Ching, Bertram, Brower, Hanohano, Marumoto, Rhoads, Carroll, Magaoay, McKelvey, Morita, M. Oshiro, Souki and Yamashita.

1651 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ward.

1652 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Ward, Finnegan, Marumoto, Thielen, Awana and Meyer.

1653 "A BILL FOR AN ACT RELATING TO IOLANI PALACE."

Introduced by: Representatives Ward, Berg and Rhoads.

1654 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ward and Meyer.

1655 "A BILL FOR AN ACT RELATING TO THE RESCISSION OF THE COUNTY AUTHORIZATION TO IMPOSE A SURCHARGE ON THE GENERAL EXCISE TAX."

Introduced by: Representative Ward, by request.

1656 "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS."

Introduced by: Representatives M. Oshiro, Caldwell, Souki and Waters.

1657 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative M. Oshiro.

1658 "A BILL FOR AN ACT RELATING TO THE ANTARA MEDICAL TRUST FUND."

Introduced by: Representative M. Oshiro.

1659 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representative M. Oshiro.

1660 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives M. Oshiro and Nakasone.

1661 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Representatives Karamatsu, Tsuji and Waters.

1662 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representatives Karamatsu, Tsuji and Waters.

1663 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative Karamatsu, by request.

1664 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Karamatsu.

1665 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Representative Karamatsu.

1666 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative Karamatsu.

1667 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR THE PURCHASE OF LAND TO DEVELOP KALAELOA COMMUNITY DEVELOPMENT DISTRICT."

Introduced by: Representatives Har, Caldwell, Chong and McKelvey.

1668 "A BILL FOR AN ACT RELATING TO SALES TRANSACTIONS."

Introduced by: Representatives Har, Hanohano, Herkes, McKelvey and Tokioka.

1669 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO EASTER SEALS HAWAII."

Introduced by: Representatives Har and Tokioka.

1670 "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER."

Introduced by: Representatives Yamashita, Caldwell, Chang, Chong, Ito, Karamatsu, Magaoay, Manahan, McKelvey, M. Oshiro, Say, Souki, Tsuji and Yamane.

1671 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR."

Introduced by: Representative Say, by request.

1672 "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES."

Introduced by: Representative Say, by request.

1673 "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS."

Introduced by: Representative Say, by request.

1674 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION."

Introduced by: Representative Evans.

1675 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

1676 "A BILL FOR AN ACT RELATING TO HURRICANE PREPAREDNESS MONTH."

Introduced by: Representative Evans.

1677 "A BILL FOR AN ACT RELATING TO FIRE SAFETY."

Introduced by: Representatives Evans, Carroll and McKelvey.

1678 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative Evans.

1679 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Evans, Chang and Say.

1680 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Evans, Carroll, Say and Luke.

1681 "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING."

Introduced by: Representatives Evans, Carroll, Luke and Say.

1682 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."

Introduced by: Representatives Evans, Carroll, Har, Luke and Say.

1683 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Evans, Carroll, Chong, Luke and Say.

1684 "A BILL FOR AN ACT RELATING TO INTERNATIONAL LIAISON FOR THE LEGISLATURE."

Introduced by: Representatives Karamatsu, Manahan, McKelvey, Tsuji, Waters and Yamashita.

1685 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Karamatsu, Chang, Magaoay, Tsuji and Waters.

1686 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE."

Introduced by: Representatives Karamatsu, Tsuji, Caldwell, Magaoay and Souki.

1687 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Belatti.

1688 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representative Belatti, by request.

[Note: The following bills were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

1689 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH, FIFTEENTH, AND SIXTEENTH REPRESENTATIVE DISTRICTS."

Introduced by: Representatives Tokioka, Morita and Sagum.

1690 "A BILL FOR AN ACT RELATING TO MINIMUM HOURLY WAGE."

Introduced by: Representative Sonson.

1691 "A BILL FOR AN ACT RELATING TO FAMILY LEAVE."

Introduced by: Representative Sonson.

1692 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Sagum, Morita and Tokioka.

1693 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Evans.

1694 "A BILL FOR AN ACT RELATING TO ADOPTION."

Introduced by: Representative Evans.

1695 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Evans, by request.

1696 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representative Evans.

1697 "A BILL FOR AN ACT RELATING TO SANITATION."

Introduced by: Representative Green.

1698 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Green and Herkes.

1699 "A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES."

Introduced by: Representative Green.

1700 "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND."

Introduced by: Representative Green.

1701 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Green.

1702 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Nakasone.

1703 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Nakasone and Bertram.

1704 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Nakasone.

1705 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Brower, Cabanilla, Carroll, Ching, Finnegan, Manahan, McKelvey, Meyer, Belatti, Bertram, Caldwell, Chong, Hanohano and Rhoads.

1706 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Belatti, Brower, Cabanilla, Carroll, Hanohano, Thielen, Ward, Bertram, Ching, Manahan and Rhoads.

1707 "A BILL FOR AN ACT RELATING TO PROTECTION OF CAVES."

Introduced by: Representatives Evans, Cabanilla, Chang, Ching, Finnegan, Hanohano, Herkes, McKelvey, Meyer, Thielen, Belatti, Bertram, Brower, Caldwell, Carroll, Chong, Herkes, Manahan, Mizuno, Rhoads and Tokioka.

1708 "A BILL FOR AN ACT RELATING TO TAX CREDIT FOR HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Brower, Cabanilla, Carroll, Chang, Ching, Finnegan, Hanohano, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Thielen, Ward, Belatti, Bertram, Caldwell and Tokioka.

1709 "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS."

Introduced by: Representatives Evans, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Finnegan, Hanohano, Manahan, Marumoto, Meyer, Mizuno, Thielen, Tokioka, Ward, Belatti and Bertram.

1710 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives B. Oshiro and Takai.

1711 "A BILL FOR AN ACT RELATING TO MARIJUANA POSSESSION."

Introduced by: Representative B. Oshiro.

1712 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives B. Oshiro, Berg, Finnegan, Karamatsu, Takai and Wakai.

1713 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-THIRD, THIRTY-FOURTH, AND THIRTY-SIXTH REPRESENTATIVE DISTRICTS."

Introduced by: Representatives B. Oshiro, Takai and Takumi.

1714 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Finnegan.

1715 "A BILL FOR AN ACT RELATING TO THE EMPLOYEE RETIREMENT SYSTEM."

Introduced by: Representatives Finnegan and Sonson.

1716 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KANU O KA AINA."

Introduced by: Representatives Finnegan, Ching, Hanohano, Shimabukuro and Carroll.

1717 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representatives Finnegan, Ching, Meyer, Pine, Thielen, Marumoto and Ward.

1718 "A BILL FOR AN ACT RELATING TO CRUISELINE INDUSTRY."

Introduced by: Representative Yamane.

1719 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Yamane, Chang and Souki.

1720 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE AND EXPAND THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK'S LONG-TERM CASE MANAGEMENT TRAINING PROGRAM FOR VICTIMS OF MAJOR NATURAL DISASTERS."

Introduced by: Representatives Yamane and Sagum.

1721 "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL."

Introduced by: Representatives Yamane and Lee.

1722 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Berg and Takumi.

1723 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Berg and Takumi.

1724 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Berg, Hanohano and Ching.

1725 "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS."

Introduced by: Representatives Berg, Ching and Hanohano.

1726 "A BILL FOR AN ACT ESTABLISHING THE ADVANCED COLLEGE TUITION PAYMENT PROGRAM."

Introduced by: Representatives Berg, Takumi, Ching and Hanohano.

1727 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Berg, Hanohano, Shimabukuro, Belatti and Wakai.

1728 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."

Introduced by: Representatives Berg, Shimabukuro, Bertram and Takumi.

1729 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTION."

Introduced by: Representative Marumoto, by request.

1730 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Marumoto.

1731 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representative Evans, by request.

1732 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Representative Evans, by request.

1733 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION."

Introduced by: Representative Evans.

1734 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Representatives Evans, Carroll, Hanohano, Har, McKelvey, Morita, Shimabukuro, Berg, Bertram, Chong, Ito, Sagum and Tokioka.

1735 "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO COMMEMORATE THE CONTRIBUTIONS OF HAWAII'S RANCHING COMMUNITY."

Introduced by: Representatives Evans, Cabanilla, Carroll, Ching, Finnegan, Hanohano, Manahan, Marumoto, Meyer, Thielen, Tokioka, Belatti, Bertram, Caldwell, Chang and Ward.

1736 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Belatti, Brower, Cabanilla, Caldwell, Ching, Hanohano, Manahan, McKelvey, Tokioka, Ward, Bertram, Carroll, Finnegan and Mizuno.

1737 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Evans, Cabanilla, Ching, Hanohano, McKelvey, Bertram, Caldwell, Carroll and Har.

1738 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Awana, Carroll, Ching, Finnegan, Hanohano, Bertram and Nishimoto.

1739 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Awana, Hanohano, Marumoto, McKelvey, Morita and Thielen.

1740 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representatives Awana, Ching, Finnegan, Hanohano, Pine, Carroll and Shimabukuro.

1741 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Awana.

1742 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representative Awana.

1743 "A BILL FOR AN ACT RELATING TO DECLARATORY RELIEF."

Introduced by: Representative Takumi.

1744 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi, by request.

1745 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representatives Takumi, Belatti, Hanohano, Mizuno, Morita, Takai, Yamane, Chong, M. Oshiro, Souki and Takamine.

1746 "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS."

Introduced by: Representatives Takumi, Hanohano, Morita, Takai, Belatti, Chang, Chong, Mizuno, M. Oshiro, Souki, Takamine, Tsuji and Yamane.

1747 "A BILL FOR AN ACT RELATING TO DISCRIMINATION COMPLAINTS."

Introduced by: Representative Takumi.

1748 "A BILL FOR AN ACT RELATING TO SOLAR ENERGY."

Introduced by: Representatives Saiki, Caldwell, Mizuno, B. Oshiro, Shimabukuro, Belatti, Cabanilla, Meyer, Morita, Takamine and Takumi.

1749 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representatives Saiki, Belatti, Berg, Brower, Caldwell, Chang, Luke, Meyer, Morita, Nishimoto, B. Oshiro, Takai, Wakai, Takamine and Takumi.

1750 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Representatives Saiki, Belatti, Caldwell, Luke, Meyer, Morita, B. Oshiro, Takai, Takamine and Takumi.

1751 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWELFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Yamashita.

1752 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Yamashita.

1753 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representative Yamashita.

1754 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Yamashita and Chong.

1755 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representatives Yamashita, Karamatsu, Chong and Say.

1756 "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS."

Introduced by: Representatives Souki and McKelvey.

1757 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Souki and Nishimoto.

1758 "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE."

Introduced by: Representatives Souki, Nishimoto and Waters.

1759 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CONTRACTOR UNDER THE CONTRACTOR REPAIR ACT."

Introduced by: Representative Souki.

1760 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Souki.

1761 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Representatives Shimabukuro and Chang.

1762 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Shimabukuro.

1763 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Brower, Cabanilla, Caldwell, Ching, Chong, Evans, Finnegan, Manahan, McKelvey, Meyer, Bertram, Mizuno and Rhoads.

1764 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS."

Introduced by: Representative Nakasone.

1765 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Berg and Say.

1766 "A BILL FOR AN ACT RELATING TO ORGAN TRANSPLANTS."

Introduced by: Representatives Magaoay, Cabanilla, Chang, Chong, Finnegan, Karamatsu, Lee, Manahan, Mizuno, Pine, Sagum, Sonson, Souki, Berg, Caldwell and Yamashita.

1767 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Magaoay, Chang, Karamatsu, Sagum, Souki, Caldwell, Chong, Manahan, Sonson and Yamashita.

1768 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Luke, Cabanilla, Caldwell, Ching, Evans, Herkes, Lee, Marumoto, Nishimoto, B. Oshiro, Awana, Belatti, Carroll, Chong, Finnegan, Karamatsu, Magaoay, Manahan, Meyer, Morita, Pine, Shimabukuro, Souki, Takamine, Thielen and Ward.

1769 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Luke, Mizuno, Takai, Belatti, Chang, Chong, Hanohano, Morita, M. Oshiro, Rhoads, Saiki, Souki, Takamine, Takumi, Tsuji and Yamane.

1770 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETICS IN PUBLIC SCHOOLS."

Introduced by: Representatives M. Oshiro, Berg and Takumi.

1771 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONSTRUCT A CAMP FACILITY FOR YOUTH ON OAHU."

Introduced by: Representatives Thielen and Cabanilla.

1772 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

Introduced by: Representatives Thielen and Lee.

1773 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representatives Manahan, Caldwell, Evans, Pine, Chang, Magaoay, Mizuno, M. Oshiro, Takamine and Waters.

1774 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Manahan, Carroll, Evans, Hanohano, McKelvey, Mizuno, Tsuji, Yamane, Caldwell and Tokioka.

1775 "A BILL FOR AN ACT RELATING TO TRAFFIC RECORDS AND ABSTRACTS."

Introduced by: Representative Manahan, by request.

1776 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Manahan.

1777 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Manahan, Cabanilla, Caldwell, Karamatsu, Lee, Magaoay, McKelvey, Mizuno, Pine, Shimabukuro, Sonson and Waters.

1778 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAIIAN DAIRY FARMS, LLC."

Introduced by: Representative M. Oshiro.

1779 "A BILL FOR AN ACT RELATING TO SUNSHINE LAW."

Introduced by: Representative Marumoto.

1780 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Wakai.

1781 "A BILL FOR AN ACT RELATING TO THE TECHNOLOGY AND INNOVATION CENTER."

Introduced by: Representative Wakai.

1782 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CITIZENS POLICE TRAINING PROGRAM."

Introduced by: Representatives Lee, Mizuno and Yamane.

1783 "A BILL FOR AN ACT RELATING TO CORPORATION INCOME TAX."

Introduced by: Representative Lee.

1784 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Lee, Awana, Belatti, Karamatsu, Meyer, Shimabukuro, Takumi, Thielen, Wakai, Chong, Ito, Mizuno, Rhoads and Takamine.

1785 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Lee, Belatti, Brower, Cabanilla, Caldwell, Karamatsu, Marumoto, Mizuno, Takai, Thielen, Ward, Yamane and Rhoads.

1786 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Lee, Awana, Berg, Cabanilla, Carroll, Hanohano, Marumoto, Morita, Pine and Shimabukuro.

1787 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representatives Morita, Saiki, Shimabukuro, Berg, Carroll and Hanohano.

1788 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Representatives Morita, Berg, Bertram, Carroll, Hanohano, Shimabukuro and Awana.

1789 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Representatives Morita, Berg, Hanohano, McKelvey, Sagum, Saiki, Shimabukuro, Tokioka, Bertram and Carroll.

1790 "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY."

Introduced by: Representatives Morita, Berg, Caldwell, Hanohano, Saiki, Shimabukuro, Bertram and Carroll.

1791 "A BILL FOR AN ACT RELATING TO IOLANI PALACE."

Introduced by: Representatives Morita, Awana, Carroll, Chong, Evans, Sagum and Tokioka.

1792 "A BILL FOR AN ACT RELATING TO DRUG ABUSE."

Introduced by: Representatives Cabanilla, Green and Mizuno.

1793 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Cabanilla.

1794 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representative Cabanilla.

1795 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Cabanilla, Awana, Chang, Karamatsu, Lee and Takamine.

1796 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Cabanilla, Awana, Chang, Caldwell, Karamatsu, Lee and Takamine.

1797 "A BILL FOR AN ACT RELATING TO TRANS FAT IN FOOD SERVICE ESTABLISHMENTS."

Introduced by: Representatives Cabanilla, Awana, Lee and Takamine.

1798 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representatives Cabanilla, Awana, Caldwell, Chang, Chong, Karamatsu, Lee and Takamine.

1799 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives M. Oshiro, Belatti, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Berg, Evans, Saiki, Souki, Takamine and Yamashita.

1800 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representative Nakasone, by request.

1801 "A BILL FOR AN ACT RELATING TO THE HAWAI`I HISTORY MUSEUM."

Introduced by: Representatives Ching, Brower, Cabanilla, Evans, Hanohano, Marumoto, McKelvey, Thielen, Ward, Belatti, Bertram, Caldwell, Carroll, Chang, Finnegan, Meyer, Mizuno, Rhoads and Tokioka.

1802 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Ching, Brower, Cabanilla, Evans, Finnegan, Marumoto, Meyer, Thielen, Ward, Belatti, Bertram, Caldwell, Carroll, Chang, Hanohano, McKelvey and Mizuno.

1803 "A BILL FOR AN ACT RELATING TO STATE HISTORIC DIVISION."

Introduced by: Representatives Ching, Cabanilla, Carroll, Evans, Finnegan, Hanohano, Marumoto, McKelvey, Meyer, Bertram, Caldwell, Chang and Rhoads.

1804 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Ching, Cabanilla, Evans, Marumoto, Thielen, Belatti, Bertram, Caldwell, Hanohano and McKelvey.

1805 "A BILL FOR AN ACT RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING."

Introduced by: Representative Rhoads, Brower, Luke, Manahan, Saiki and Belatti.

1806 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."

Introduced by: Representative Rhoads.

1807 "A BILL FOR AN ACT RELATING TO NUUANU-LILIHA."

Introduced by: Representatives Rhoads, Brower, Cabanilla, Ching, Finnegan, Hanohano, Marumoto, Meyer, Belatti, Bertram, Caldwell, Carroll, Chang, Evans, McKelvey, Mizuno and Ward.

1808 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO KEEP IOLANI PALACE LIT IN THE EVENINGS YEAR-ROUND."

Introduced by: Representatives Rhoads, Brower, Cabanilla, Finnegan, Hanohano, Manahan, Marumoto, Tokioka, Ward, Belatti, Bertram, Caldwell, Carroll, Evans and McKelvey.

1809 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representatives Tokioka, Chang, Hanohano, McKelvey, Morita, Sagum, Waters, Brower, Caldwell, Ito, Manahan, Mizuno and Yamashita.

1810 "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS."

Introduced by: Representatives Tokioka, Caldwell, Chang, Ito, Mizuno, Waters, Yamashita, Manahan and Sagum.

1811 "A BILL FOR AN ACT RELATING TO A NURSING PROGRAM AT THE UNIVERSITY OF HAWAII'S LEEWARD COMMUNITY COLLEGE."

Introduced by: Representatives Cabanilla, Awana, Chang, Caldwell, Karamatsu, Lee and Takamine.

1812 "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS WHILE OPERATING A VEHICLE."

Introduced by: Representative Waters.

1813 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Representative Waters.

1814 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Waters.

1815 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST IN THE DEVELOPMENT OF AN IRRIGATION PIPE IN WAIMANALO."

Introduced by: Representative Waters.

1816 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Waters.

1817 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Waters.

1818 "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES."

Introduced by: Representative Waters.

1819 "A BILL FOR AN ACT RELATING TO THE REHIRING OF RETIREES."

Introduced by: Representative Waters.

1820 "A BILL FOR AN ACT RELATING TO STATE INCOME TAX."

Introduced by: Representative Waters.

1821 "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS."

Introduced by: Representative Waters.

1822 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSPECTION."

Introduced by: Representatives Bertram, Mizuno, Brower, Carroll, Hanohano, Nishimoto, Takamine and Yamashita.

1823 "A BILL FOR AN ACT RELATING TO BICYCLE AND PEDESTRIAN SAFETY."

Introduced by: Representatives Bertram, McKelvey and Nishimoto.

1824 "A BILL FOR AN ACT RELATING TO STATE FACILITIES."

Introduced by: Representatives Bertram and Mizuno.

1825 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Bertram, Carroll, McKelvey and Mizuno.

1826 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE ELEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representatives Bertram and McKelvey.

1827 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES."

Introduced by: Representatives Mizuno, Ito, Tokioka, Waters, Awana, Berg, Bertram, Karamatsu, Magaoay, McKelvey, Morita, Nishimoto, B. Oshiro and Shimabukuro.

1828 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno, Cabanilla, Carroll, Finnegan, Green, Magaoay, Manahan, Meyer, Pine, Sonson, Takai, Awana, Bertram, Brower, Ito, Karamatsu, Morita, Rhoads, Shimabukuro, Takumi, Tokioka, Wakai and Ward.

1829 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."

Introduced by: Representatives Mizuno, Awana, Belatti, Cabanilla, Finnegan, Green, Ito, Lee, Magaoay, Manahan, Meyer, Pine, Sagum, Sonson, Takai, Tokioka, Berg, Karamatsu, Morita, Shimabukuro, Takumi and Ward.

1830 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."

Introduced by: Representatives Mizuno, Awana, Berg, Cabanilla, Evans, Green, Hanohano, Ito, Karamatsu, Marumoto, McKelvey, Morita, Nishimoto, B. Oshiro, Shimabukuro, Sonson, Takai, Takumi, Thielen, Ward, Belatti, Bertram, Brower, Carroll, Magaoay, Manahan, Nakasone, Rhoads, Sagum, Souki, Tokioka and Tsuji.

1831 "A BILL FOR AN ACT RELATING TO GAME MANAGEMENT AREAS."

Introduced by: Representatives Caldwell, Ito, Manahan, Waters, Brower, Karamatsu, Mizuno, Say and Yamane.

1832 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Representatives Caldwell and Waters.

1833 "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES."

Introduced by: Representatives Caldwell and Waters.

1834 "A BILL FOR AN ACT RELATING TO TELEPHONE SOLICITATIONS."

Introduced by: Representative Caldwell.

1835 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION OF AGRICULTURE."

Introduced by: Representatives Caldwell, Shimabukuro and Berg.

1836 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Representatives Ching, Say, Belatti, Hanohano, Ito, Meyer and Pine.

1837 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ching.

1838 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Ching, Cabanilla, Pine, Brower, Hanohano, Ito, Karamatsu, Lee, Magaoay, Rhoads, Say and Ward.

1839 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT."

Introduced by: Representatives Ching, Takai, Berg, Hanohano, Lee, Magaoay, Marumoto, M. Oshiro and Ward.

1840 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Representatives Ching, Takai, Hanohano, Lee, Magaoay, Marumoto and Ward.

1841 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Representatives Shimabukuro, Awana and Belatti.

1842 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Shimabukuro and Belatti.

1843 "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY."

Introduced by: Representatives Ito, Chong, Evans, Herkes, Manahan and Hanohano.

1844 "A BILL FOR AN ACT RELATING TO LAND ACQUISITION."

Introduced by: Representatives Ito, Cabanilla, Chong, Yamashita, Chang, Lee and Shimabukuro.

1845 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES."

Introduced by: Representatives Ito, Cabanilla, Chang, Chong, Lee, Shimabukuro and Yamashita.

1846 "A BILL FOR AN ACT RELATING TO CONSTRUCTION DEFECTS."

Introduced by: Representatives Ito, Cabanilla, Chang, Chong, Hanohano, Lee, Shimabukuro and Yamashita.

1847 "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT."

Introduced by: Representatives Ito, Cabanilla, Chang, Chong, Hanohano, Lee, Shimabukuro, Takai and Yamashita.

1848 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Representatives Ito, Cabanilla, Chong, Hanohano, Lee, Shimabukuro and Yamashita.

1849 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Representatives Ito, Bertram, Cabanilla, Evans, Karamatsu, Lee, Manahan, Shimabukuro, Souki and Yamashita.

1850 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representatives Ito and Chong.

1851 "A BILL FOR AN ACT RELATING TO HONEY."

Introduced by: Representatives Caldwell, Brower, Manahan and Say.

1852 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Caldwell.

1853 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Caldwell, and M. Oshiro.

1854 "A BILL FOR AN ACT RELATING TO NEW MARKETS TAX CREDIT."

Introduced by: Representatives Caldwell, and M. Oshiro.

1855 "A BILL FOR AN ACT RELATING TO GENETIC ENGINEERING."

Introduced by: Representatives Caldwell, Berg and Shimabukuro.

1856 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENETIC ENGINEERING ASSESSMENT."

Introduced by: Representatives Caldwell, Berg and Shimabukuro.

1857 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Caldwell, Ito, Karamatsu, Mizuno, Say, Takamine, Wakai and Yamane.

1858 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."

Introduced by: Representatives Caldwell, Green, Herkes, Brower, Ito, Karamatsu, Mizuno, Say, Takamine and Wakai.

1859 "A BILL FOR AN ACT RELATING TO COAL BURNING."

Introduced by: Representatives Caldwell, Berg, Brower, Karamatsu, Manahan, Mizuno, Morita, Say, Yamane, Ito, Takamine and Wakai.

1860 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT MANOA."

Introduced by: Representatives Caldwell, Karamatsu, Manahan, Brower, Chang, Ito, Mizuno, M. Oshiro, Say, Takamine, Wakai and Yamane.

1861 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Takamine.

1862 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Takamine, Chang, Herkes, Tsuji, Evans and Hanohano.

1863 "A BILL FOR AN ACT RELATING TO ALTERNATIVE ENERGY RESOURCES."

Introduced by: Representatives Takamine, Chang, Evans, Hanohano, Herkes, Tsuji and Green.

1864 "A BILL FOR AN ACT RELATING TO LIABILITY FOR COQUI FROG ERADICATION EFFORTS."

Introduced by: Representatives Takamine, Chang, Evans, Hanohano, Herkes, Tsuji and Green.

1865 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Representatives Karamatsu, Chong, Herkes, Tsuji, Yamane and Yamashita.

1866 "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS."

Introduced by: Representatives Chang, Cabanilla, Green, Karamatsu, Manahan, Bertram, Hanohano, Ito, Lee, Magaoay, McKelvey, Rhoads, Tokioka and Wakai.

1867 "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS."

Introduced by: Representatives Chang, Bertram, Brower, Hanohano, Ito, Manahan, Shimabukuro, Karamatsu, Lee, Magaoay and Takamine.

1868 "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA."

Introduced by: Representatives Chang, Cabanilla, Hanohano, Ito, Karamatsu, Lee, Magaoay, Manahan, Bertram, Brower, McKelvey, Nishimoto, Shimabukuro, Takamine, Tokioka and Wakai.

1869 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Ito, Magaoay, Manahan, Say, Bertram, Cabanilla, Hanohano, Karamatsu, Lee, Nishimoto, Shimabukuro, Takamine, Tokioka and Wakai.

1870 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE UNIVERSITY OF HAWAII SYSTEM WIDE."

Introduced by: Representatives Chang and Bertram.

1871 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Chang.

1872 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Representative Karamatsu, by request.

1873 "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW."

Introduced by: Representative Karamatsu, by request.

1874 "A BILL FOR AN ACT RELATING TO ENTERTAINMENT SERVICE."

Introduced by: Representative Karamatsu, by request.

1875 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE GOVERNOR."

Introduced by: Representative Karamatsu, by request.

1876 "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM."

Introduced by: Representative Karamatsu, by request.

1877 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Karamatsu, Chang, Ching, Chong, Finnegan, Har, Herkes, Ito, Magaoay, Marumoto, McKelvey, Meyer, Nakasone, Souki, Ward, Yamane, Belatti, Shimabukuro and Yamashita.

1878 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Karamatsu.

1879 "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS."

Introduced by: Representatives Karamatsu, Ito, Lee, Manahan, Morita, M. Oshiro, Yamashita, Brower, Chang, Chong, Magaoay, Sagum and Tokioka.

1880 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representatives Karamatsu, Chang, Ito, Manahan, Chong, Lee, Magaoay, Morita, M. Oshiro, Sagum, Tokioka and Yamashita.

1881 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Karamatsu, Ching, Chong, Finnegan, Lee, Marumoto, Meyer, Shimabukuro, Belatti, Brower, Ito and Takumi.

1882 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Representative Herkes.

1883 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Meyer, Cabanilla, Ching, Pine, Ward, Finnegan and Mizuno.

1884 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Representatives Meyer, Cabanilla, Marumoto, Awana, Berg, Brower, Ching, Finnegan, Ito, Takumi and Ward.

1885 "A BILL FOR AN ACT RELATING TO GASOLINE."

Introduced by: Representatives Meyer, Awana, Brower, Cabanilla, Ching, Finnegan, Ito, Marumoto, Mizuno, Pine, Berg and Ward.

1886 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Meyer, Brower, Cabanilla, Ching, Hanohano, Lee, Magaoay, Pine, Say, Ward, Ito, Rhoads and Karamatsu.

1887 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Meyer.

1888 "A BILL FOR AN ACT RELATING TO CLEAN FUEL."

Introduced by: Representative Caldwell.

1889 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY LIBRARY AND COMPUTER LEARNING CENTER."

Introduced by: Representatives Belatti and Wakai.

1890 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH CARE SERVICES."

Introduced by: Representatives Belatti, Caldwell, Carroll, Hanohano, Lee, Magaoay, Manahan, Mizuno, B. Oshiro, M. Oshiro, Saiki, Shimabukuro, Takumi, Wakai, Berg, Brower, Chang, Chong, Evans, Karamatsu, Nishimoto, Souki, Takamine and Yamashita.

1891 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Belatti, Berg, Brower, Cabanilla, Carroll, Hanohano, Karamatsu, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, Saiki, Takai, Takumi, Caldwell, Chong, Evans, Lee, Takamine and Yamashita.

1892 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Belatti, Berg, Hanohano, Magaoay, Manahan, Morita, Shimabukuro, Takai, Brower, Caldwell, Carroll, Karamatsu, Lee, Mizuno, B. Oshiro, Takamine and Wakai.

1893 "A BILL FOR AN ACT RELATING TO PROFESSIONAL LICENSURE."

Introduced by: Representatives Belatti, Mizuno, Rhoads, Shimabukuro and Wakai.

1894 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, M. Oshiro, Belatti and Say.

1895 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CHILDREN."

Introduced by: Representative Chong, by request.

1896 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX WITHHOLDING RATES."

Introduced by: Representatives Chong, Carroll, Ito, Karamatsu, Manahan, B. Oshiro, M. Oshiro, Say, Shimabukuro, Tsuji, Waters, Yamane, Belatti and Rhoads.

1897 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representatives Chong, Mizuno, Tsuji, Wakai, Yamane, Belatti, Carroll, Lee, Manahan, Rhoads, Souki and Yamashita.

1898 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Representatives Chong and Waters.

1899 "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH."

Introduced by: Representatives Chong, Waters, Yamashita, Ito, Lee and Magaoay.

1900 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Nakasone, M. Oshiro, Say, Tsuji, Wakai, Yamane, Yamashita, and B. Oshiro.

1901 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Chong, Ito, Nakasone, Waters and Yamane.

1902 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC."

Introduced by: Representative Say.

1903 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Say.

1904 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS AND MAKING AN APPROPRIATION."

Introduced by: Representative Say, by request.

1905 "A BILL FOR AN ACT RELATING TO DAM SAFETY."

Introduced by: Representatives Say, Morita, Sagum and Tokioka.

1906 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

1907 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES."

Introduced by: Representative Say.

1908 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say.

1909 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Representatives Say, Belatti, Berg, Brower, Caldwell, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, B. Oshiro, M. Oshiro, Sagum, Shimabukuro, Sonson, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Carroll, Rhoads and Takamine.

1910 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE HISTORIC PRESERVATION DIVISION."

Introduced by: Representatives McKelvey, Cabanilla, Caldwell, Carroll, Chang, Ching, Evans, Hanohano, Marumoto, Thielen, Belatti, Bertram, Brower, Finnegan, Manahan, Meyer, Mizuno, Rhoads and Tokioka.

1911 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives McKelvey, Brower, Cabanilla, Carroll, Chang, Ching, Evans, Hanohano, Lee, Manahan, Marumoto, Ward, Waters, Awana, Belatti, Caldwell, Finnegan, Green, Herkes, Magaoay, Mizuno, Rhoads, Takamine and Yamashita.

1912 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIODIESEL PROJECTS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI."

Introduced by: Representatives McKelvey, Bertram, Carroll, Chang, Karamatsu, Morita, Say, Thielen, Yamashita, Evans and Souki.

1913 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives McKelvey, Har, Lee, Karamatsu and Tokioka.

1914 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Representatives McKelvey, Brower, Morita, Awana, Carroll, Chong, Hanohano, Ito, Magaoay, Tokioka and Waters.

1915 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan, Awana and Shimabukuro.

1916 "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD."

Introduced by: Representative Caldwell.

1917 "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES TAX CREDIT."

Introduced by: Representatives Har and McKelvey.

1918 "A BILL FOR AN ACT RELATING TO PERFORMANCE-BASED CONTRACTS."

Introduced by: Representatives Har and McKelvey.

1919 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Representatives Har and McKelvey.

1920 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Har.

1921 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Tsuji, Chang, Chong, Herkes, Yamane, Hanohano, Manahan and Takamine.

1922 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representative Tsuji.

1923 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Representatives Tsuji, Brower, Chang, Herkes, Yamane, Yamashita, Berg, Chong, Hanohano, Manahan and Takamine.

1924 "A BILL FOR AN ACT RELATING TO THE ERADICATION AND CONTROL OF THE COQUI FROG."

Introduced by: Representatives Tsuji, Caldwell, Chang, Chong, Evans, Green, Herkes, Ito, Lee, Marumoto, McKelvey, Morita, Yamane, Yamashita, Sonson, Takamine and Wakai.

1925 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representatives Brower, Carroll, Lee, Say, Waters, Belatti, Karamatsu, Magaoay, McKelvey, Morita, Rhoads, Shimabukuro and Souki.

1926 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Brower, Lee, Takai, Belatti, Carroll, Karamatsu, McKelvey, Morita, Shimabukuro and Waters.

1927 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Brower, Waters, Carroll, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Morita, Rhoads and Shimabukuro.

1928 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Brower, Carroll, Karamatsu, Magaoay, McKelvey and Morita.

1929 "A BILL FOR AN ACT RELATING TO KAKAAKO."

Introduced by: Representatives Brower, McKelvey, Waters, Carroll, Karamatsu, Lee, Magaoay, Manahan, Morita and Shimabukuro.

1930 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-THIRD REPRESENTATIVE DISTRICT."

Introduced by: Representative Brower.

1931 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII."

Introduced by: Representative Hanohano.

1932 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Nishimoto, by request.

1933 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Nishimoto and Luke.

1934 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Nishimoto, by request.

1935 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Nishimoto.

1936 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."

Introduced by: Representative Nishimoto, by request.

1937 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND SAFETY."

Introduced by: Representative Nishimoto, by request.

1938 "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES."

Introduced by: Representative Ching.

1939 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Ching and Ward.

1940 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Representative Ching.

1941 "A BILL FOR AN ACT RELATING TO CONTROLLING INVASIVE SPECIES."

Introduced by: Representatives Tsuji and Berg.

1942 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Mizuno, Manahan, Meyer, Morita, Pine, Takai, Ward, Awana, Bertram, Brower, Cabanilla, Green, Ito, Magaoay, Shimabukuro and Tokioka.

1943 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Representative Mizuno, by request.

1944 "A BILL FOR AN ACT RELATING TO PEDESTRIANS."

Introduced by: Representative Say.

1945 "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS."

Introduced by: Representative Say.

1946 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE."

Introduced by: Representatives Carroll, Berg, Caldwell, Chong, Evans, Hanohano, Ito, Magaoay, Manahan, McKelvey, Morita, B. Oshiro, Say, Shimabukuro, Tokioka, Waters, Yamashita, Bertram, Brower, Sagum and Souki.

1947 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN FOR AND TO HOST THE INTERNATIONAL INDIGENOUS HEALTH CONFERENCE, "HEALING OUR SPIRIT WORLDWIDE" IN HAWAII."

Introduced by: Representatives Carroll, Bertram, Caldwell, Chong, Evans, Hanohano, Ito, Magaoay, Manahan, Morita, B. Oshiro, Say, Shimabukuro, Waters, Yamashita, Berg, Brower, McKelvey, Sagum, Souki and Tokioka.

1948 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS."

Introduced by: Representatives Carroll, Berg, Brower, Caldwell, Chong, Evans, Hanohano, Ito, Magaoay, Manahan, McKelvey, Mizuno, B. Oshiro, Say, Shimabukuro, Tokioka, Waters, Yamashita, Bertram, Nishimoto, Sagum and Souki.

1949 "A BILL FOR AN ACT RELATING TO HAWAII."

Introduced by: Representatives Morita, Awana, Brower, Caldwell, Carroll, Chong, Evans, Manahan, Sagum and Tokioka.

1950 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Carroll, Berg, Chang, Evans, Say, Tokioka, Tsuji, Brower, Hanohano and Mizuno.

1951 "A BILL FOR AN ACT RELATING TO CARGO SERVICE."

Introduced by: Representatives Carroll, Berg, Chang, Evans, Hanohano, McKelvey, Mizuno, Say, Tsuji, Yamashita, Brower, Har, Lee, Manahan, Nishimoto, Shimabukuro, Souki and Takumi.

1952 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Carroll.

1953 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Carroll, Evans and Say.

1954 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A VETERANS CENTER ON THE ISLAND OF MOLOKAI."

Introduced by: Representatives Carroll, Berg, Chang, Hanohano, Mizuno, Nishimoto, Tokioka, Tsuji, Brower, Evans, Say, Souki and Takumi.

1955 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Pine, Awana, Ching, Finnegan, Marumoto, Meyer, Ward, Brower, Hanohano, Lee, Magaoay and Sonson.

1956 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Representatives Pine, Berg, Ching, Morita, Awana, Bertram, Brower, Chang, Hanohano, Lee, Magaoay, Mizuno, Nishimoto, Souki and Wakai.

1957 "A BILL FOR AN ACT RELATING TO KALAELOA."

Introduced by: Representatives Pine, Awana, Ching, Finnegan, Marumoto, Meyer, Belatti, Hanohano, Lee, Magaoay, Sonson and Ward.

1958 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Pine, Awana, Brower, Chang, Ching, Finnegan, Hanohano, Meyer, Carroll, Magaoay, Marumoto, Sonson, Souki and Ward.

1959 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Pine, Chang, Ching, Finnegan, Hanohano, McKelvey, Meyer, Thielen, Ward, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Har, Karamatsu, Lee, Magaoay, Marumoto, Mizuno, Morita, Nishimoto, Sonson, Souki, Takumi and Wakai.

1960 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS FOR THE FORTY-THIRD REPRESENTATIVE DISTRICT."

Introduced by: Representatives Pine, Yamane and Sagum.

1961 "A BILL FOR AN ACT RELATING TO SCIENCE."

Introduced by: Representatives Ward, Awana, Brower, Chang, Ching, Finnegan, Hanohano, Marumoto, Meyer, Mizuno, Pine, Sonson, Thielen, Cabanilla, Karamatsu, Lee, Magaoay, M. Oshiro, Say, Souki and Yamashita.

1962 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representatives Ward, Awana, Cabanilla, Finnegan, Brower, Hanohano, Karamatsu, Mizuno and Souki.

1963 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Representatives Ward, Awana, Brower, Cabanilla, Ching, Finnegan, Hanohano, Karamatsu, Marumoto, Magaoay, Meyer, Mizuno and Souki.

1964 "A BILL FOR AN ACT RELATING TO TEACHING."

Introduced by: Representative Ward.

1965 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Ward.

1966 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representative Ward.

1967 "A BILL FOR AN ACT RELATING TO EDUCATION AND ECONOMIC DEVELOPMENT."

Introduced by: Representative Ward.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 15 and 16) and concurrent resolutions (H.C.R. Nos. 28 through 35) were referred to Printing and further action was deferred:

H.R. No. 15, entitled: "HOUSE RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE; AND RELATED MATTERS," was offered by Representative Say, by request.

H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, MATERNAL AND CHILD HEALTH BRANCH, TO STUDY THE ROLE OF GESTATIONAL ENVIRONMENTS, GENTLE BIRTHING PRACTICES, ADULT WELLNESS EDUCATION, DOMESTIC HARMONY AWARENESS, APPROPRIATE AND SUFFICIENT TOUCH, AND THE PRACTICE OF HEALING BIRTH TRAUMA, AND THEIR CONNECTION TO PUBLIC POLICY CONCERNS SUCH AS SUBSTANCE ABUSE, ALCOHOLISM, DOMESTIC VIOLENCE, AND OBESITY," was offered by Representative Green.

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO STUDY INNOVATIVE TECHNOLOGIES AND MODELS FOR PUBLIC TRANSIT SERVICES," was offered by Representative Souki.

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE; AND RELATED MATTERS," was offered by Representative Say, by request.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF SUBMERGED LANDS AT LAHAINA, MAUI, FOR DIVE SITE FOR COMMERCIAL SUBMARINE TOURS," was offered by Representative Say, by request.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE SURFACE EASEMENT AT KAHALUU, NORTH KONA, HAWAII," was offered by Representative Say, by request.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE LEGALITY AND EFFECTIVENESS OF RENT CONTROL," was jointly offered by Representatives Hanohano, Awana, Green and Shimabukuro.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, MATERNAL AND CHILD HEALTH BRANCH, TO STUDY THE ROLE OF GESTATIONAL ENVIRONMENTS, GENTLE BIRTHING PRACTICES, ADULT WELLNESS EDUCATION, DOMESTIC HARMONY AWARENESS, APPROPRIATE AND SUFFICIENT TOUCH, AND THE PRACTICE OF HEALING BIRTH TRAUMA, AND THEIR CONNECTION TO PUBLIC POLICY CONCERNS SUCH AS SUBSTANCE ABUSE, ALCOHOLISM, DOMESTIC VIOLENCE, AND OBESITY," was offered by Representative Green.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH WITH THE ASSISTANCE OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PREPARE A COMPREHENSIVE CLEAN AIR PLAN," was offered by Representative Green.

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO STUDY INNOVATIVE TECHNOLOGIES AND MODELS FOR PUBLIC TRANSIT SERVICES AND INVESTIGATE ALTERNATIVE METHODS TO AID IN TRAFFIC CONGESTION RELIEF," was offered by Representative Nishimoto.

ANNOUNCEMENTS

Representative Luke: "Thank you, Mr. Speaker. It is my pleasure to announce that we have two birthday boys in the House today. The first is our veteran representative from the district he keeps claiming is the size of the county of Oahu, and that's Representative Herkes. If you could give him a round of applause. And he just made a quarter of a century, so many more years to go.

"And the other one is our freshman representative, the Representative from Downtown, Kalihi, Representative Rhoads."

Representative Shimabukuro: "Thank you, Mr. Speaker. I just want to announce that your Committee on Human Services and Housing and the Committee on Health will be having a joint hearing tomorrow at 8:30 a.m. in Room 329, and the bills are listed on today's Order of the Day. Thank you."

Representative McKelvey: "Thank you, Mr. Speaker. Just an announcement that your Committee on Commerce and Consumer Protection will be having a hearing today at 2:15 in Room 325."

Representative Evans: "Thank you, Mr. Speaker. I am rising to ask my colleagues to come by Room 437 between 8:00 and 2:00 today. We have it open for the heritage people who have a real passion about the heritage and historic preservation and cultural sites here in Hawaii. We have a lot of bills up there and invite people to come and join us in co-sponsoring them, and if you come up after the Chief Justice gives his speech, we could probably do a nice picture with everyone too. Thank you."

Representative Carroll: "Thank you, Mr. Speaker. I would like to announce that we have our Hawaiian Caucus available for signing from 12:00 p.m. today to 4:00 p.m. in Room 405. Thank you."

Representative Lee: "Mr. Speaker, I would like to invite the members to join us for the Women's Caucus press conference at 12:00 in the Capitol Rotunda. Thank you."

Representative Chang: "Mr. Speaker, I just want to remind the members that tomorrow at 1:30 p.m. there will be a joint hearing with the Higher Ed Committee and the Senate Science and Technology Committee on the film industry. Thank you. It is just a briefing."

Speaker Say: "Thank you very much. Members, can we move on to page A. Representative Berg, would you like to make the announcement for this afternoon's informational briefing?"

Representative Berg: "Thank you, Mr. Speaker. Absolutely. This afternoon's meeting for the House Committee on Education is the informational briefing on technology services at 1:30 p.m. in Conference Room 309. Thank you."

Representative Rhoads: "Mr. Speaker, my Chair already announced that tomorrow we are having a joint Committee on Human Services and Committee on Health hearing at 8:30 in Room 329. Mahalo."

Representative Carroll: "Thank you, Mr. Speaker. I'd like to announce that the Committee on Energy and Environmental Protection will be having an information briefing on solar water heating, the Pay-as-You-Save Program on Thursday, 9:00 a.m. in Conference Room 312."

Representative Har: "Thank you, Mr. Speaker. On behalf of the Committee on Public Safety and Military Affairs, we will have our first public hearing tomorrow, Thursday, January 25th at 9:00 a.m. in Conference Room 309."

Representative Chang: "Just a correction, Mr. Speaker. The Senate counterpart in this briefing will be the Committee on Economic Development and Taxation. Thank you."

Representative McKelvey: "Thank you, Mr. Speaker. Just to let you know, your Committee on Consumer Protection and Commerce will be having a hearing on Thursday, January 25th at 2:00 p.m. in Conference Room 325."

Representative Mizuno: "Thank you, Mr. Speaker. The Committee on Health will be having a hearing. It's going to be on Friday, January 26th. It starts at 8:30 in Conference Room 329. Thank you, Mr. Speaker."

Representative Har: "Thank you, Mr. Speaker. Your Committee on Public Safety and Military Affairs will have a joint hearing with the Committee on Labor and Public Employment on Friday, January 26th at 9:00 a.m. in Room 309 with decision making to follow. Thank you, Mr. Speaker."

Representative Nakasone: "Mr. Speaker, there will be a hearing for the Committee on Labor and Public Employment on Friday, January 26th at 9:05 a.m. in Room 309."

Speaker Say: "Thank you very much. Chair Sonson, I am very pleased to see that you will be conducting this hearing in five minutes, with decision making to follow. That's running the joint committee very efficiently."

At this time, Representative B. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving bills for introduction, seconded by Representative Thielen and carried. (Representative Takamine was excused.)

At 9:18 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess subject to the call of the Chair, and in accordance with Senate Concurrent Resolution No. 1, met in Joint Session with the Senate to receive the Chief Justice's State of the Judiciary Address in the Senate Chambers.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007 was called to order at 10:02 o'clock a.m. by the Honorable Colleen Hanabusa, President of the Senate.

The Senate President then welcomed and recognized the following honored guests:

Governor Linda Lingle, who was presented a lei by Representative Kirk Caldwell;

Lt. Governor James R. Aiona, Jr., who was presented a lei by Senator Rosalyn H. Baker, and Mrs. Vivian Aiona, who was presented a lei by Representative Joseph M. Souki;

Mrs. Stella Moon, wife of the Chief Justice, who was presented a lei by Representative Ryan I. Yamane;

Mr. Joseph Han and Mrs. Mary Han, parents of the Chief Justice, who were presented with leis by Senator Suzanne Chun Oakland and Representative Marcus R. Oshiro, respectively;

Ms. Julie Moon, daughter of the Chief Justice, who was presented a lei by Senator Russell S. Kokubun;

U.S. Attorney Edward Kubo, Jr.;

Former Governor George Ariyoshi;

Counsel General and Mrs. Shigeo Iwatani;

Deputy Counsel General Dong Yern Kim;

Deputy Counsel General Irene Natividad;

Director General Philip Wang;

Honolulu Police Chief Boisse Correa; and

Maui Police Chief Thomas Phillips.

President Hanabusa then called upon Senators Clayton Hee, Brian T. Taniguchi and Fred Hemmings, and Representatives Tommy Waters, Blake K. Oshiro and Lynn Finnegan to escort Chief Justice Ronald T.Y. Moon to the rostrum where he was presented leis by Senator Jill N. Tokuda and Representative Jon Riki Karamatsu.

President Hanabusa then presented to the Members of the Twenty-Fourth Legislature and the audience, the Chief Justice of the Hawaii Supreme Court, the Honorable Ronald T.Y. Moon.

The Chief Justice then addressed the Joint Session as follows:

"President Hanabusa, Speaker Say, Governor Lingle, Lieutenant Governor and Mrs. Aiona, distinguished members of the twenty-fourth Legislature, fellow judges, Judiciary and other State employees, State cabinet members, judges of the federal bench, members of local and federal law enforcement, former State Chief Justice of the State of Washington, Richard Guy, and former State Chief Justice of the State of Hawaii, William Richardson, my fellow members of the Royal Order of Kamehameha the First, members of the Hawaiian Royal Societies, other special guests, family, friends, and fellow citizens, *aloha*, good morning, *annyong-hi jumu shyossumin ikka*. That last greeting was at the request of my mother.

"I am privileged and honored to have this opportunity to address this Joint Session of the Hawai`i State Legislature and extend my sincere appreciation for your kind invitation to speak about the state of the Judiciary. I extend congratulations to Governor Lingle and Lieutenant Governor Aiona on their successful bid for a second term of office and thank them, again, for allowing me the honor of administering their oaths of office last month. I also extend a special aloha to the new legislators whom I had the pleasure and honor of swearing-in last week and thank you for joining us in service to the people of Hawai`i. We, in the Judiciary, look forward to working with all of you. There is no doubt that we -- that is, all three branches of government -- are well aware that we share in the quest for fairness, justice, and good government as we both work collaboratively and separately to serve the people of Hawai`i.

"And speaking of awareness, I am reminded of the vampire bat that came flapping in from the night covered in fresh blood and parked himself on the roof of the cave to get some sleep. Pretty soon, all the other bats smelled the blood and began hassling him about where he got it. He told them to go away and let him sleep, but they persisted until he finally gave in.

"'Okay, follow me,' he said and flew out of the cave with hundreds of bats behind him. Down through a valley they went, across a river, and into a forest of trees. Finally, he slowed down and the other bats excitedly milled around him.

"'Now, do you see that humongous tree over there?' he asked.

"'Yes, yes, yes!!!' the bats all screamed in a frenzy.

"'Good!' said the first bat, 'because I sure didn't.'

"Ladies and gentlemen, the state of the Judiciary remains sound due in large part to the efforts of our hard-working employees and volunteers. I, therefore, take this opportunity to publicly thank each and every one of our judges, administrators, and other Judiciary employees for their continuing commitment, dedication, and outstanding work in helping to promote the effective, efficient, and fair administration of justice. To the many volunteers who give unselfishly of their time and talents to help our overburdened staff, as well as to those who serve on the many Judiciary commissions and committees, we extend a big *mahalo* for your service. Would you please help me to acknowledge these dedicated Judiciary employees and volunteers, many of whom are here today, by giving them a round of applause?

"As I stated earlier, the state of the Judiciary remains sound; however, I continue to be concerned about the perception of many that our justice system is not functioning as it should and that some of our citizens, therefore, feel they need to take matters into their own hands to fix it. I am, of course, not opposed to our citizens taking a greater interest in public service. In fact, I firmly believe that we need to find ways to better motivate our citizens to more actively participate in government and in such civic matters as voting and jury service. However, I am concerned about some of the initiatives that appeared in other state ballots in the most recent election -- some of which were proposed and promoted as a way to fix our justice system. For example: The citizens of South Dakota voted on a judicial constitutional amendment, voted on a radical judicial constitutional amendment, entitled Judicial Accountability Initiative Law -- commonly referred to as "JAIL for Judges" -- that proposed, among other things, the creation of a new grand jury that would allow citizens to sue judges for decisions they did not like. Although the amendment did not pass, the fact that it was even proposed underscores fundamental misunderstandings of the duties of legislators and judges and how judges are held accountable.

"Legislators, as you well know, enact laws in accordance with what they understand to be the popular will and in the public interest. Judges, however, apply the law that is the result of longstanding common law traditions and legislative processes to the evidence in individual cases; judges do so even when the loudest voices at the time may have other conceptions about what the law or results should be in a particular case. In short, a judge's first and foremost duty is to fairly and impartially apply the constitution and the law to the facts of the case. A judge's personal feelings about what the law "should be" has no place in his or her deliberations. The determination of such broad policy matters as to what the law should be is your *kuleana*, and you are in a much better position to make that assessment than is a judge hearing the evidence in an individual case.

"Nevertheless, as evinced by initiatives like South Dakota's JAIL for Judges, an alarming number of our citizens continue to believe that the role of the courts is to bend to the whims of the press or, at least, those who have the money to mount advertising campaigns and get press attention. Thus, when some of our citizens disagree with a judge's decision because it is not in conformity with what they perceive the "popular will," they often cry out for reforms, like the election of judges. Indeed, rumor has it that this legislature may be asked to consider proposals calling for the election of judges. And, although such a proposal is not "new," it seems rather ironic since many other jurisdictions are attempting to repeal the election process in their respective states because of the effect judicial elections have

on preserving a fair and impartial justice system. Under an elective system for judges, there is the constant threat that an unpopular decision could result in the loss of popular votes -- a consideration that has no place in a judge's decision-making process. And, sadly, judges in elective jurisdictions who have adhered to the high standards of fair and impartial judicial decision-making have paid the ultimate price at the polls -- that is, they have lost their jobs. But, a decision that is made fairly, impartially, and in accordance with the constitution and the law -- even though unpopular -- is, in the words of the late United States Supreme Court Chief Justice William Rehnquist, one of the crown jewels of our democracy. Those who favor electing judges often do because they believe judges are not held accountable for their actions or decisions. They are wrong.

"Hawai`i judges are held accountable in more ways than any other public officer. First, each judge's legal decision is subject to review and reversal by Hawaii's appellate courts and, depending on the issues, by the United States Supreme Court. Each judge's performance, demeanor, and competence are subject to review and sanction by the Commission on Judicial Conduct, which may recommend a judge's removal from office. A judge seeking retention is also subject to review and sanction by the Judicial Selection Commission, which may -- and does -- refuse to retain judges. In addition, the supreme court's Rule 19 committee administers the Judicial Performance Evaluation program under which each judge's performance is evaluated one or more times during the judge's term of office. A Judicial Performance Review Panel -- composed of a retired judge, a retired attorney, and a member of our lay community -- discusses the evaluation results with the judge so that the judge may improve his or her performance for the benefit of the public. In addition, the Hawai`i State Bar Association conducts its own judicial evaluation program and provides the results of its survey to our judges.

"Judges are, to the best of my knowledge, the only public officers in Hawai`i whose decisions, performance, competence, and demeanor are subject to probing, professional, and systematic scrutiny. In short, judges are held accountable by mechanisms that assure accountability, without undermining the impartiality of our courts. Fair and impartial courts provide the balance that is essential to the workings of our government and not only makes our democracy the envy of many of our foreign neighbors, but ensures equal access to justice for all. Undermining the impartiality of the courts jeopardizes the very access our citizens expect. Indeed, without access to the courts, there can be no justice for our citizenry.

"The public's assessment of how well the courts are helping our citizenry also affects the public perception of the Judiciary. As you know, substance abuse, mental illness, and other social problems are the underlying causes of many of the crimes in our community. Acknowledging that the greater majority of offenders who experience these problems will ultimately return to our communities, we have been effectively addressing some of these problems by combining court supervision with treatment and other alternatives to incarceration. These "problem-solving" courts utilize practices that are referred to as intermediate sanctions. Over the past five years, the Judiciary has achieved great success and learned important lessons regarding the effective use of intermediate sanctions through our adult drug court programs, which are operational statewide. We have expanded the philosophy to our family drug court programs on O`ahu and Maui, as well as juvenile drug courts on O`ahu and Kaua`i.

"In a recent 306-page evaluation report written under contract by the National Center for State Courts, the Center found that Hawai`i is satisfactorily meeting nearly all of the key components, strategies, and characteristics for adult, juvenile, and family drug court programs. In commenting on the Judiciary's ongoing efforts to develop and implement drug court performance standards, the Center report states, "These measures place Hawai`i far in advance of many states[.]" Indeed, your support of our drug court initiatives -- for which we are very grateful -- have allowed Hawaii's drug courts to do well and garner national respect and attention.

"In 2004, the Judiciary initiated "Girls Court" in the Family Court of the First Circuit -- one of the first courts in the United States to build a full range of gender-specific programming for female juvenile offenders. The program incorporates practices to help girls get back on a positive development track and to avoid future delinquent behavior. Last month, we celebrated the journey of nine more young women and their families who successfully completed the Girls Court program. We also celebrated the ongoing journey of two "alumni," who had completed the program in the previous year and continued their relationship with the program in order to help those who followed them. The goal of Girls Court is to empower and build on each girl's strengths, focusing on developing the skills necessary to make positive choices in their lives, that will stop them from becoming, for example, involved in the criminal justice system as adult women, or from becoming victims of domestic violence or defendants in the child protective service system later in their lives. By all accounts, thus far, Girls Court is garnering positive and encouraging results. For example, the Girls Court Program has reduced recidivism by 47 per cent, runaways by 60 per cent, and arrests by nearly 63 per cent. Ladies and gentlemen, please join me in acknowledging Girls Court Presiding Judge Karen Radius, the Girls Court staff, and some of their clients, with their parents, who are here in the gallery.

"Also in 2004, the Judiciary launched a pilot program designed to reduce probation violations by drug offenders and others at high risk of re-offending. This high-intensity supervision program -- called Hawaii's Opportunity Probation with Enforcement, or HOPE -- received a major vote of confidence in the form of a 1.2 million dollar appropriation from the 2005 legislature, which we truly appreciate. First Circuit Judge Steven Alm is responsible for bringing the concept of the HOPE Program to the Judiciary, which we believe is the first and only such program in the nation. This past September, representatives from the National Institute of Justice visited our Judiciary to learn more about this unique, innovative program. More recently, on December 8, 2006, both chambers of Congress passed a federal bill authored by Congressman Adam Schiff of California that calls for frequent, mandatory drug testing for chronic drug offenders and includes immediate sanctions for violators. The measure, which has been sent to the President to be signed into law, was modeled after the Hawai`i Judiciary's HOPE Program, of which Congressman Schiff said: "This approach is currently finding great success in Honolulu, Hawai`i, where previous drug tests turned up 21.9% and 10% missed appointments altogether. With this program in place, the positive drug tests dropped to 3.8% and the missed appointment rate dropped to 1.3%."

"Our probation office, like those across the nation, is overwhelmed and severely under-resourced. As a result, probationers who violate their terms of probation -- including continued drug use -- often receive no more than a verbal warning from their probation officers. Continued violations, however, do eventually result in revocation of probation and incarceration, thus compounding our crowded prison situation and increasing costs to the State. Notwithstanding their already heavy workload, our probation officers have demonstrated their commitment to helping probationers succeed by working collaboratively with Judge Alm and other major players in the HOPE Program, such as the prosecutors and public defenders. Such collaboration and teamwork has been the catalyst to the effectiveness of one of the major components of the HOPE Program, which is its pattern of swift, predictable, and immediate sanctions -- typically resulting in several days in jail -- for each detected violation, such as drug use or missed appointments with a probation officer. Originally under the watchful eye of Judge Alm, selected-probationers -- since August of last year -- are now being admitted to the HOPE Program and supervised by each of our nine criminal judges handling felony cases.

"As is evident from the programs that focus on juveniles and their families, the Judiciary adheres to the proposition that "the state of the family determines the state of our society." Family courts throughout the nation have been likened to hospital emergency rooms -- and ours

is no exception. People who come to family court are usually in crises and often at their worst. On a daily basis, our family court judges deal with every family situation imaginable.

"Children, sometimes as young as eleven, following arrest, are brought to family court for making poor choices. Our judges must decide if they should be sent to the Hawai`i Youth Correctional Facility, referred to a treatment program, or released back into the community. What does a judge do when parents of a 14-year-old runaway girl, who is pregnant, addicted to ice, and in love with her pimp, look to the judge for "the answer"?

"Parents, too, are brought to family court for harming their children, and our judges must decide whether to terminate their parental rights. What is a judge to do when an infant has been severely injured, but no one can say for sure if either parent did it?

"Our family court judges are routinely asked to play the role of Solomon in deciding which parent will be awarded physical custody of children. Such decisions inevitably alter forever the lives of the children and the parents. What does a judge do when a divorcing parent receives a better opportunity on the mainland and wishes to take the child out-of-state, but the other parent wants the child to remain in Hawai`i?

"These are just a few of the gut-wrenching decisions that our family court judges must not only make on a daily basis, but must do expeditiously because of their crowded dockets. On any given morning – and I repeat, just the morning, with another calendar of cases in the afternoon -- a family court judge has ten to fifteen child protective service cases on the calendar. Another judge might have a morning calendar of twelve to fifteen restraining order cases. And still another judge is hearing a divorce case, involving child custody and property division issues, that must be completed by the end of the day because the judge has another trial -- on another case -- the very next day, and still another new case the day after that. The high volume of cases in the family court places extreme pressures upon our judges -- and, undoubtedly, creates a great deal of internal stress -- as they strive to make the right decision in the best interest of the children.

"Adding to this stark reality is the fact that family court users, as well as our family court judges and staff, are subjected to crowded physical conditions, creating unnecessary tension and heightened security concerns. The waiting area for court users on the second floor of the First Circuit court building -- on any given day of the week -- makes the waiting area of a hospital emergency room seem like an oasis. People are packed together; you can definitely feel the emotions and hostility in the room; and the noise level might lead you to think you're in a train station rather than in a courthouse. And, once the parties enter the courtroom, things aren't much better as parties are literally just a few feet away from each other and no more than five to six feet away from the judge. It is not uncommon to have twelve to fifteen people on a case in a courtroom that was designed to accommodate no more than six to eight people. Such conditions are, to say the least, untenable.

"We are, therefore, deeply grateful for the giant step you took toward improving the situation in family court when you originally authorized 95 million dollars during the 2005 legislative session to build the Kapolei Court Complex. On behalf of the many children, families, and the myriad of other family court users in our community that desperately need the help of our family court, we thank you for supporting our efforts to provide improved services to your constituents. We must now, however, move forward and ensure that the facility is not only large enough, but that we secure an adequate number of judges in order to better meet the needs of family court users, as well as to avoid "burning out" our current judges as a result of the extreme stress and high volume of cases.

"As you know, since your original appropriation in 2005, construction costs -- following Hurricane Katrina -- have risen substantially, resulting in our having to significantly scale-down our original design. Nevertheless, we remained confident that the facilities would still be able to accommodate a full range of judicial services for the Ewa region. However, since then, the cost of construction -- statewide -- has continued to increase, thereby requiring additional reductions to the facilities.

"In light of the increased construction costs, I reluctantly approved the redesign of the new juvenile detention facility. Rather than the 78 beds originally planned, the scaled-down detention facility will have a total of 66 beds. Moreover, in order to stay within the amount of the original appropriation, two of the twelve non-jury courtrooms in the Kapolei court building will have to remain unfinished and unusable. In addition, the original plan for one jury courtroom, associated jury deliberation room, and secure holding cells will necessarily have to wait, unless an additional appropriation is made this session. The loss of these courtrooms and related facilities will seriously impact family court functions, postpone the closure of the Waianae District Court, which is currently housed in leased space, and delay providing a fuller range of court functions at Kapolei. Without an additional appropriation this session, the acquisition of other critical design elements will also be delayed. Indeed, any delay in the construction and/or completion of any aspect of the facilities will lead to increased costs. Consequently, the Judiciary respectfully asks for your support and consideration of an additional appropriation of 15.5 million dollars this session in order that the Kapolei Court Complex, slated for completion in 2010, will open with a full complement of courtrooms and a safer, although slightly smaller, juvenile detention facility. We also respectfully request your help in ensuring the sustainability of our current family court judges by providing them with assistance in the form of two additional family court judges.

"The parties in family-related disputes and our Family Court judges are only part of the equation in family court. The attorneys appointed by the court also play a critical role in representing parents in cases involving the termination of parental rights. In these cases, one of society's most important privileges -- that of being a parent -- is at stake. Parents involved in these termination cases often qualify for court-appointed attorneys because a majority of them are economically disadvantaged.

"Guardians *ad litem*, appointed by the court to represent the children in these cases also play a critical role -- perhaps the most critical role because these guardians often become *ohana* to the children with whom they interact. They respond to a child's telephone call for help at all hours of the day; they facilitate therapeutic placements; and, as importantly, they listen. A five-year-old girl, who was being adopted by her grandmother after the mother's parental rights had been terminated, was asked by the presiding judge, "Who is that man standing next to you?" The child looked up at her court-appointed guardian *ad litem*, then looked back at the judge and said, "He is my guardian angel!"

"For the past twenty years, court-appointed attorneys have been protecting the rights of parents -- and guardians *ad litem* have been protecting the well-being of children -- at $40.00 an hour for work performed outside of court and $60.00 for in-court time -- which is significantly less than any other type of attorney-work in the State.

"We certainly appreciate the fact that, in 2005, you saw fit to raise the hourly rate for attorneys defending indigent criminal defendants, which became effective on July 1, 2006. As you recognized when considering and passing the 2005 legislation, the courts were finding it difficult to secure competent attorneys to accept court appointments, which created serious concerns among those who prosecute and those who defend indigent criminal defendants, such as increased cases on appeal and cases of ineffective assistance of counsel. I submit that considerations similar to those which prompted you to increase the hourly rate to $90 for the attorneys representing indigent criminal defendants are applicable here. Thus, on behalf of the parents and especially the children involved in these termination cases, the Judiciary respectfully requests your support

and consideration of hourly fee increases for court-appointed attorneys and guardians *ad litem* in these parental rights cases.

"Ladies and gentlemen, my focus this morning has been primarily on our family court and the related issues regarding Kapolei, additional judges, and increased pay for attorneys and guardians *ad litem* in parental rights termination cases because the Judiciary is convinced that one of our State's greatest challenges is to provide our children a safe, loving, and nurturing environment in which they can flourish and grow into productive and law-abiding citizens, many of whom will become tomorrow's leaders. They certainly deserve no less. They -- along with the rest of our citizenry -- also deserve to have a justice system that is fair, impartial, and free of any undue influences.

"In an interview shortly before her retirement, Justice Sandra Day O'Connor said: "The Framers [of our Constitution] understood quite well, without judges who could enforce the Constitutional rights and guarantees without fear of retaliation, the Constitution would be meaningless... The many calls for retaliation against judges for rulings in particular cases run directly counter to the concept of the Framers of the Constitution."

"Given the current environment, with its various citizen-initiatives aimed at the judicial decision-making process, our challenge -- as judges, lawyers, and lawmakers -- is to maintain the integrity of the third branch of government and to protect the courts from pressures -- political or otherwise -- that may affect, or be perceived as affecting, the decisions of the court. Whether our decisions are correct must be dictated by the law that applies equally to everyone and not by popular concerns of the moment that have not passed through legislative scrutiny. Generally, in any given case, the "winner" will be happy, and the "loser," including those sympathetic to their cause, will not. Ultimately, however, it is the rule of law -- equally and equitably applied -- that we Americans choose to help us resolve our differences and to ensure civic order. In that regard, the Judiciary remains committed to the constitution and the rule of law and to rendering fair and impartial decisions, based upon the facts and the applicable law.

"On behalf of all of the dedicated employees of the Judiciary, we pledge our continued support and look forward to working collaboratively with each of you. Thank you for having me."

Speaker Say then rose and stated:

"Thank you, Chief Justice Moon. The Legislature looks forward to working with you this Session. We are cognizant that the Judiciary is a branch of State government, co-equal with the Legislative and Executive branches and we respect that status.

"We also respect you and the other justices, judges and employees of the Judiciary. This respect, as well as the good will between us, will surely lead to legislation that promotes the public good. Thank you again."

At 10:45 o'clock a.m., Speaker Say declared the Joint Session of the House of Representatives and the Senate of the Twenty-Fourth Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Friday, January 26, 2007.

SIXTH DAY

Friday, January 26, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:02 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Mr. Renwick "Uncle Joe" Tassill, after which the Roll was called showing all members present.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 223 through 227) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 223, dated January 23, 2007, transmitting the High Technology Innovation Corporation's 2006 Annual Report, pursuant to Section 206M-56, Hawaii Revised Statues.

Gov. Msg. No. 224, dated January 22, 2007, transmitting the Department of the Attorney General's Report on Expenditures Relating to Emergency Relief for Natural Disasters, pursuant to Section 24, Act 118, Session Laws of Hawaii 2006.

Gov. Msg. No. 225, dated December 14, 2006, transmitting the Pesticide Use Revolving Fund Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 226, dated January 12, 2006, transmitting the Hawaii Employer-Union Health Benefits Trust Fund's Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 227, dated January 29, 2007, transmitting the Interagency Working Group Transfer of Functions from Various Departments to the Department of Education report prepared by the Department of Education.

INTRODUCTIONS

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

Students of the Future Leaders Exchange Program and Youth Exchange Student Program were introduced by the following Representatives.

Representative Mizuno introduced Ms. Varvara Aryutina from Russia attending Campbell High School.

Representative Tsuji introduced Ms. Merjen Agayeva from Turkmenistan attending West Hawaii Explorations Academy.

Representative Tsuji also introduced Ms. Nataly Naser Al Deen from Lebanon attending Hilo High School.

Representative Thielen introduced Ms. Rozan Musharbash from Jordan attending Kalaheo High School; accompanied by her staff, Ms. Sonja Caymaz.

Representative Manahan introduced Ms. Antonina Kurushina from Tajikistan attending Radford High School.

Representative Tokioka introduced Ms. Georg Aghajanyan from Armenia attending Waimea High School.

Representative Morita introduced Mr. Ali Mubbashir from Pakistan attending Waimea High School; accompanied by Ms. Sarah Bal.

Representative Evans introduced Ms. Dalia Salem from Palestine attending West Hawaii Explorations Academy.

Representative Marumoto introduced Ms. Sahar Shbat from Israel attending Kapolei High School.

Representative Ching introduced Ms. Nisryne Azatour from Kuwait attending Maui High School.

Representative Berg introduced Ms. Aizar Joosova from Kyrgyzstan attending Pearl City High School.

Representative Berg also introduced Ms. Barbara Bancel, Executive Director of the International Hospitality Center.

Representative Ward introduced Ms. Kamilla Rayeva from Kazakhstan attending Hilo High School; accompanied by his office manager, Ms. Rebecca Roberts.

Representative Carroll introduced Ms. Alena Osinova from Russia attending King Kekaulike High School.

Representative Lee introduced Ms. Tetyana Korpan from Ukraine attending Mililani High School.

Representative Lee also introduced Ms. Meryem El Rharnati from Morocco attending Konawaena High School.

Representative Bertram introduced Ms. Nataliya Sylkina from Ukraine attending Konawaena High School

Representative Awana introduced Ms. Yaroslava Biletska from Ukraine attending Kapolei High School.

Representative Cabanilla introduced from San Jose, California, Mr. Cuong V. Do of the MILI Group of Hawaii; accompanied by his wife, Mrs. Minha Do; children, Gina Do, Gino Do, and Ginou Do; Mr. Hai Luong; Ms. Laurie Opelanio; Mr. Duc Young; and former Representative Romy Mindo.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
1598	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1599	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
1600	Committee on Finance
1601	Committee on Finance
1602	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1603 Committee on Tourism & Culture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1604 Committee on Finance

1605 Committee on Transportation, then to the Committee on Finance

1606 Committee on Transportation, then to the Committee on Finance

1607 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1608 Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

1609 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1610 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1611 Committee on Energy & Environmental Protection, then to the Committee on Finance

1612 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1613 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1614 Committee on Judiciary, then to the Committee on Finance

1615 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

1616 Committee on Agriculture, then to the Committee on Finance

1617 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1618 Committee on Judiciary, then to the Committee on Finance

1619 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1620 Committee on Judiciary

1621 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1622 Committee on Judiciary, then to the Committee on Finance

1623 Committee on Judiciary, then to the Committee on Finance

1624 Committee on Finance

1625 Committee on Education, then to the Committee on Finance

1626 Committee on Consumer Protection & Commerce

1627 Committee on Consumer Protection & Commerce

1628 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1629 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1630 Committee on Education, then to the Committee on Finance

1631 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1632 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Legislative Management, then to the Committee on Finance

1633 Committee on Consumer Protection & Commerce

1634 Committee on International Affairs, then to the Committee on Finance

1635 Committee on Judiciary

1636 Committee on Transportation, then to the Committee on Finance

1637 Committee on Education, then to the Committee on International Affairs, then to the Committee on Finance

1638 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Transportation, then to the Committee on Finance

1639 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1640 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

1641 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1642 Committee on Finance

1643 Committee on Education, then to the Committee on Finance

1644 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health, then to the Committee on Judiciary

1645 Committee on Judiciary, then to the Committee on Finance

1646 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1647 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1648 Committee on Education, then to the Committee on Finance

1649 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

1650 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1651 Committee on Finance

1652 Committee on Energy & Environmental Protection, then to the Committee on Finance

1653 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1654 Committee on Health, then to the Committee on Finance

1655 Committee on Transportation, then to the Committee on Finance

1656 Committee on Judiciary, then to the Committee on Finance

1657 Committee on Finance

1658 Committee on Health, then to the Committee on Finance

1659 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1660 Committee on Labor & Public Employment, then to the Committee on Finance

1661 Committee on Judiciary

1662 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1663 Committee on Consumer Protection & Commerce

1664 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1665 Committee on Energy & Environmental Protection, then to the Committee on Finance

1666 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1667 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1668 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1669 Committee on Finance

1670 Committee on Economic Development & Business Concerns, then jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1671 Committee on Legislative Management, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1672 Committee on Legislative Management, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1673 Committee on Tourism & Culture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1674 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1675 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1676 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1677 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1678 Committee on Consumer Protection & Commerce

1679 Committee on Judiciary, then to the Committee on Finance

1680 Committee on Judiciary

1681 Committee on Judiciary, then to the Committee on Finance

1682 Committee on Judiciary

1683 Committee on Education, then to the Committee on Judiciary

1684 Committee on International Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

1685 Committee on Education, then to the Committee on Finance

1686 Committee on Transportation, then to the Committee on Judiciary

1687 Committee on Finance

1688 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1689 Committee on Finance

1690 Committee on Labor & Public Employment, then to the Committee on Finance

1691 Committee on Labor & Public Employment, then to the Committee on Finance

1692 Committee on Health, then to the Committee on Consumer Protection & Commerce

1693 Committee on Finance

1694 Committee on Human Services & Housing, then to the Committee on Judiciary

1695 Jointly to the Committee on Human Services & Housing and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1696 Committee on Health, then to the Committee on Judiciary

1697 Committee on Health, then to the Committee on Consumer Protection & Commerce

1698 Committee on Health, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1699 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1700 Jointly to the Committee on Health and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1701 Committee on Finance

1702 Committee on Judiciary, then to the Committee on Finance

1703 Committee on Health, then to the Committee on Finance

1704 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance

1705 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1706 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1707 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1708 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1709 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture, then to the Committee on Finance

1710 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1711 Committee on Judiciary

1712 Committee on Judiciary, then to the Committee on Finance

1713 Committee on Finance

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1715 Committee on Labor & Public Employment, then to the Committee on Finance

1716 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1717 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1718 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1719 Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1720 Jointly to the Committee on Higher Education and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1721 Committee on Health, then to the Committee on Judiciary

1722 Committee on Education, then to the Committee on Finance

1723 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

1724 Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1725 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

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1728 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

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1733 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

1734 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1735 Jointly to the Committee on Tourism & Culture and the Committee on Agriculture, then to the Committee on Finance

1736 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1737 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1738 Committee on Education, then to the Committee on Finance

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1744 Committee on Education, then to the Committee on Finance

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1774 Committee on Public Safety & Military Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance

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1810 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1811 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

1812 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1813 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1814 Committee on Legislative Management, then to the Committee on Judiciary

1815 Committee on Finance

1816 Committee on Health, then to the Committee on Judiciary

1817 Committee on Labor & Public Employment, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1818 Committee on Labor & Public Employment, then to the Committee on Finance

1819 Committee on Labor & Public Employment, then to the Committee on Finance

1820 Committee on Labor & Public Employment, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1821 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

1822 Committee on Transportation, then to the Committee on Judiciary

1823 Committee on Transportation, then to the Committee on Finance

1824 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1825 Committee on Health, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1826 Committee on Finance

1827 Jointly to the Committee on Transportation and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1828 Committee on Health, then to the Committee on Finance

1829 Committee on Finance

1830 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

1831 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1832 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1833 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1834 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1835 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1836 Committee on Judiciary

1837 Committee on Finance

1838 Committee on Finance

1839 Committee on Human Services & Housing, then to the Committee on Finance

1840 Committee on Transportation, then to the Committee on Judiciary

1841 Committee on Energy & Environmental Protection, then to the Committee on Finance

1842 Committee on Education, then to the Committee on Finance

1843 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1844 Committee on Human Services & Housing, then to the Committee on Finance

1845 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1846 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1847 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1848 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1849 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1850 Committee on Finance

1851 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1852 Committee on Finance

1853 Committee on Labor & Public Employment, then to the Committee on Finance

1854 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1855 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1856 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

1857 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1858 Committee on Health, then to the Committee on Judiciary

1859 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1860 Committee on Higher Education, then to the Committee on Finance

1861 Committee on Finance

1862 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

1863 Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

1864 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

1865 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1866 Committee on Tourism & Culture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1867 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

1868 Committee on Higher Education, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

1869 Committee on Higher Education, then to the Committee on Finance

1870 Committee on Finance

1871 Committee on Finance

1872 Committee on Judiciary, then to the Committee on Finance

1873 Committee on Labor & Public Employment, then to the Committee on Finance

1874 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1875 Committee on Judiciary, then to the Committee on Finance

1876 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1877 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns

1878 Committee on Finance

1879 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1880 Committee on Energy & Environmental Protection, then to the Committee on Finance

1881 Committee on Education, then to the Committee on Finance

1882 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1883 Committee on Education, then to the Committee on Finance

1884 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1885 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Consumer Protection & Commerce

1886 Committee on Transportation, then to the Committee on Finance

1887 Committee on Finance

1888 Committee on Energy & Environmental Protection, then to the Committee on Finance

1889 Committee on Finance

1890 Committee on Health, then to the Committee on Finance

1891 Committee on Agriculture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1892 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1893 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1894 Committee on Finance

1895 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1896 Committee on Finance

1897 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1898 Committee on Finance

1899 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1900 Committee on Finance

1901 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

1902 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1903 Committee on Judiciary

1904 Committee on Finance

1905 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1906 Committee on Human Services & Housing, then to the Committee on Finance

1907 Committee on Human Services & Housing, then to the Committee on Finance

1908 Committee on Human Services & Housing, then to the Committee on Finance

1909 Jointly to the Committee on Judiciary and the Committee on Legislative Management

1910 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1911 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1912 Committee on Energy & Environmental Protection, then to the Committee on Finance

1913 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1914 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1915 Committee on Education, then to the Committee on Judiciary

1916 Committee on Labor & Public Employment, then to the Committee on Finance

1917 Committee on Health, then to the Committee on Finance

1918 Jointly to the Committee on Transportation and the Committee on Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1919 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1920 Committee on Finance

1921 Committee on Agriculture, then to the Committee on Finance

1922 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

1923 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

1924 Committee on Agriculture, then to the Committee on Finance

1925 Committee on Transportation, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1926 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1927 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1928 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

1929 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1930 Committee on Finance

1931 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1932 Committee on Judiciary

1933 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

1934 Committee on Transportation, then to the Committee on Judiciary

1935 Committee on Finance

1936 Committee on Legislative Management, then to the Committee on Finance

1937 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1938 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1939 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1940 Committee on Finance

1941 Committee on Agriculture, then to the Committee on Finance

1942 Committee on Human Services & Housing, then to the Committee on Finance

1943 Jointly to the Committee on Energy & Environmental Protection and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1944 Committee on Transportation, then to the Committee on Judiciary

1945 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

1946 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1947 Committee on International Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1948 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1949 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1950 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1951 Committee on Transportation, then to the Committee on Economic Development & Business Concerns

1952 Committee on Finance

1953 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1954 Committee on Finance

1955 Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1956 Committee on Labor & Public Employment, then to the Committee on Judiciary

1957 Jointly to the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1958 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

1959 Committee on Transportation, then to the Committee on Judiciary

1960 Committee on Finance

1961 Committee on Economic Development & Business Concerns, then to the Committee on Education, then to the Committee on Finance

1962 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

1963 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1964 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

1965 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Higher Education, then to the Committee on Finance

1966 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1967 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Higher Education and the Committee on Tourism & Culture, then to the Committee on Labor & Public Employment, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
132	Committee on Education, then to the Committee on Finance
242	Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
430	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
483	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
729	Committee on Education, then to the Committee on Finance
853	Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1004	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1005	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1129	Committee on Judiciary
1246	Committee on Judiciary
1308	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1341	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
1342	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

ANNOUNCEMENT

Representative Rhoads announced that the Committee on Human Services and Housing will be conducting a public hearing on Monday, January 29 at 8:30 a.m. in Conference Room 329.

ADJOURNMENT

At 12:30 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, January 29, 2007.

SEVENTH DAY

Monday, January 29, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Corinne W.L. Ching, after which the Roll was called showing all members present with the exception of Representatives Berg, Har and Souki, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 228) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 228, dated January 25, 2007, transmitting the Final Report on the Implementation of Act 183, SLH 2005, Incentives for Important Agricultural Lands.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 4) was received and announced by the Clerk:

Sen. Com. No. 4, transmitting S.B. No. 638, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," which passed Third Reading in the Senate on January 26, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Berg, Har and Souki were excused.)

S.B. No. 638, SD 1

The Chair then announced:

"At this time, the Chair hereby refers said Senate Bill to the Committee on Finance."

INTRODUCTION

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

Representative Green introduced Assemblywoman Judy Junor of the Saskatchewan Legislature and Chair of the Human Services Committee, and her husband Mr. Don Junor who were visiting from Canada.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following bill was referred to committee by the Speaker:

S.B. No.	Referred to:
638, SD1	Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
116	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
201	Committee on Public Safety & Military Affairs, then to the Committee on Finance
340	Committee on Judiciary, then to the Committee on Finance
379	Committee on Judiciary, then to the Committee on Finance
386	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
388	Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
396	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
397	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
412	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
413	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
466	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
487	Committee on Human Services & Housing, then to the Committee on Finance
700	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
701	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
761	Committee on Transportation, then to the Committee on Finance

816 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

833 Jointly to the Committee on Labor & Public Employment and the Committee on Human Services & Housing, then to the Committee on Finance

1817 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

1820 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1) recommending that H.B. No. 107, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 107, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I would like to express reservations on Standing Committee Report No. 1.

"I did vote for this measure because apparently refund splitting is allowed and performed by the Federal Government. However, I now have reservations because the State Department of Taxation said it would have to devise new forms to comply with this law and reconfigure computer programs to allow refunds to be sent to two places. It seems to be a great deal of trouble to accommodate the few people who will want to split their taxpayer refunds, I guess, only once a year. It seems to me that these few people could receive their refunds and mail it to the second party or to the second financial institution. Thank you."

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

"Thank you, Mr. Speaker. The items that were brought up by the previous speaker should be addressed by the Committee on Finance. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Berg and Har being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 373, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO SCRAP DEALERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg and Har being excused.

ANNOUNCEMENTS

Representative Evans: "Mr. Speaker, this afternoon from 1:00 to 4:00 the Committee on Public Safety and Military Affairs is going to have an informational briefing to discuss how can the State Civil Defense improve communication with the general public when a man-made or natural disaster occurs. One of the things I want to point out to my colleagues, over and over again in the newspaper, continually people are saying how can we get the word out to the public when there is a disaster. And that, I think, is the number one issue with the public. Thank you."

Representative Lee announced that the Committee on Finance will be conducting a public hearing today on SB No. 638, SD 1 at 1:30 p.m. in Conference Room 308.

Representative McKelvey announced the that Committee on Consumer Protection and Commerce will be conducting a public hearing on ten measures today at 2:00 p.m. in Conference Room 325, with decision making to follow.

Representative Carroll announced that the Committee on Energy and Environmental Protection will be conducting an informational briefing on Tuesday, January 30 at 8:15 a.m. in Conference Room 325.

Representative Carroll also announced that the Committee on Energy and Environmental Protection, and the Committee on Agriculture will be conducting an informational briefing on the economics of invasive species on Tuesday, January 30 at 10:15 a.m. in Conference Room 325.

Representative Mizuno announced that the Committee on Health, and the Committee on and Human Services and Housing will be conducting a public hearing on Tuesday, January 30 at 8:30 a.m. in Conference Room 329 with decision making to follow.

Representative Nakasone announced that the Committee on Labor and Public Employment will be conducting a public hearing on Tuesday, January 30 at 9:00 a.m. in Conference Room 309 with decision making to follow.

Speaker Say: "Members of the Labor Committee, please attend this particular hearing. You've got 16 measures on tomorrow's agenda with decision making to follow before 12:00 noon. You also have decision making that has been deferred from January 26, 2007. That is for the members of the Labor Committee."

ADJOURNMENT

At 12:15 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, January 30, 2007. (Representatives Berg and Har were excused.)

EIGHTH DAY

Tuesday, January 30, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Pono Chong, after which the Roll was called showing all members present with the exception of Representatives Awana, Berg and Souki, who were excused.

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

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 43) was received by the Clerk and was placed on file:

Dept. Com. No. 43, from the Legislative Reference Bureau, transmitting the PRESCRIPTIVE AUTHORITY FOR PSYCHOLOGISTS: ISSUES AND CONSIDERATIONS.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
6	Committee on Judiciary
7	Committee on Agriculture
8	Jointly to the Committee on International Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary
9	Committee on Health, then to the Committee on Legislative Management
10	Committee on Health
11	Committee on Human Services & Housing, then to the Committee on Legislative Management
12	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce
13	Committee on Human Services & Housing
14	Committee on Consumer Protection & Commerce, then to the Committee on Higher Education

H.C.R. Nos.	Referred to:
3	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
4	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
5	Committee on Judiciary
6	Committee on Agriculture
7	Jointly to the Committee on International Affairs and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary
8	Committee on Health, then to the Committee on Legislative Management
9	Committee on Health
10	Committee on Health, then to the Committee on Judiciary
11	Committee on Human Services & Housing, then to the Committee on Legislative Management
12	Committee on Public Safety & Military Affairs
13	Committee on Education, then to the Committee on Finance
14	Committee on Health, then to the Committee on Education
15	Committee on Judiciary, then to the Committee on Finance
16	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
17	Committee on Judiciary, then to the Committee on Finance
18	Committee on Judiciary, then to the Committee on Finance
19	Committee on Judiciary, then to the Committee on Finance
20	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
21	Committee on Judiciary, then to the Committee on Finance
22	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
23	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce
24	Committee on Energy & Environmental Protection
25	Jointly to the Committee on Human Services & Housing and the Committee on Health
26	Committee on Consumer Protection & Commerce, then to the Committee on Higher Education
27	Jointly to the Committee on Human Services & Housing and the Committee on Health
28	Committee on Transportation

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
300	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1052	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1110	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1169	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, then to the Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1437	Committee on Energy & Environmental Protection, then to the Committee on Finance
1635	Committee on Judiciary, then to the Committee on Finance
1650	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

At 12:07 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:07 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 430, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 430, entitled: "A BILL FOR AN ACT RELATING TO PAYDAY LENDING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Berg and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 4) recommending that H.B. No. 483, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Berg and Souki being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 5) recommending that H.B. No. 195, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 195, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Berg and Souki being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 6) recommending that H.B. No. 301, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO THE CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Berg and Souki being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 7) recommending that H.B. No. 34, pass Second Reading and be referred to the Committee on International Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on International Affairs with Representatives Awana, Berg and Souki being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 8) recommending that H.B. No. 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Berg and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 638, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 638, SD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On S.B. 638, SD 1, I rise to speak with reservations. This bill provides $11.6 million for the operations of the House through 2007 until June 30th, 2008. The proposed $11.6 million budget is an 11.9% increase of $1.2 million from last year's budget. Last year's budget was $10.4 million.

"This 11.9% increase in this year's budget is on top of an increase of 18.8% for last year's budget, and an additional 16.3% increase in 2005. If this budget bill passes, Mr. Speaker, the budget for the operations of the House will have increased a mind-numbing 54.7%, 54.7% in three years. That's $7.5 million in 2004, to $11.6 million in 2007.

"But it's not only the budget figures that I'm concerned about. I'm even more concerned about the carryover balances that we concealed over the past three years.

"Unlike other State departments, whatever is left over after December 31st of this year can be carried over to 2008 and spent until June 30th. In a sense, our budgets, Mr. Speaker, are for 16 months.

"This is a very important fact in today's discussion because there is a significant overlap of almost half a year for our budget cycle. And we had more than $4.4 million left over on December 31st, 2006 in the 2006 budget.

"In fact, the budget reserves have increased significantly over the past three years. In 2004, we had $2.4 million left over. In 2005, we had an extra $3.3 million left over. And in 2006, as I mentioned, we had $4.4 million left over at the end of last year.

"Some will argue, and I agree, that a reasonable amount of money is needed to carry the House through the first two months of each calendar year. But $4.4 million is a bit excessive. In fact, what is needed is approximately $2 million. So, even without the proposed increases in this bill before us, we have $2.4 million too much.

"Here's another perspective, Mr. Speaker. We had a carryover balance of $3 million on December 31st, 2005. We spent $5.9 million in 2006 for the 2006 budget. Taken together, the House spent $8.9 million in total for 2006 – $8.9 million in total, Mr. Speaker in 2006. But our budget was $10.4 million. We had an extra $1.4 million left to spend. Did we return this money to the State general fund? No. This extra $1.4 million goes into our budget reserves and will be the first money we use this year.

"When we all do our family's budgets, we usually use the previous year's expenditures as a guide. The handout from our House leadership creates a 2007 budget from the 2006 budget, not from the actual expenditures. Again, we actually spent $8.9 million for 2006. The proposed 2007 budget in this bill before us is $2.7 million more than we actually spent for the entire 2006.

"In other words, the budget proposed today is more than 30% over the expenditures from 2006. So while Mr. Speaker, our budget has increased by 54.4% over the last three years, our budget reserves have increased as well from $2.4 million extra in 2004, to $4.4 million at the end of last year.

"Taken another way, our budget reserves went from 32% of our total budget in 2004, to 34% of our total budget in 2005, to 42.9% of our total budget in 2006.

"Some people are heavily critical of a particular local company for keeping what some call, excessive reserves. I believe a 42.9% budget reserve of the House is overly excessive.

"I'm not saying that all of the proposed budget items in this year's budget are not justified. In fact, I do agree with almost all the proposed uses for the $1.2 million.

"However, I believe that we should first utilize the budget reserves before we increase our bottom line. With homelessness as our top issue this year, I believe that the $1.2 million could be better spent by providing …"

Representative Manahan rose to yield his time, and the Chair, "so ordered."

Representative Takai continued, stating:

"Thank you, Mr. Speaker. Again, with homelessness as our top priority this year, I believe that the $1.2 million additional funds could be better spent by providing, let's say, housing for 200 families for one whole year.

"We are asked to be good stewards of our limited resources, our limited and precious resources, Mr. Speaker. This budget request, from my perspective is irresponsible. It represents everything that we don't want to be.

"I urge my colleagues to study the numbers. I urge my colleagues to understand the details of this budget, and I reserve my final vote to Third Reading. Thank you, Mr. Speaker."

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

"Yes, Mr. Speaker. I am also speaking with reservation. The previous Representative spoke about the details of the budget, and unfortunately, the details that were given out in Finance the other day, I guess for my personal checkbook that I do at home, it wasn't enough details for me. So hopefully we'll get the rest of the details soon."

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

"I also rise in reservation. Yesterday I was a member of the Finance Committee who voted like he had never voted before. I voted 'aye, 95 percent'. I left five percent because I had so quickly received the information, and we really appreciate you showing with the Clerk and with the Sergeant-at-Arms actually coming to the Finance Committee. That was a great gesture. But it was too quick to digest all the information.

"So, on reflection, as I was jogging last night, I thought about that five percent. And as I re-looked at the numbers, Mr. Speaker, I'm not sure that my office in 318 needs new curtains, or needs a new rug, or maybe needs repairs. I've got a lot of chips on the wall that may need some touch up paint for maybe $2. But the other things in the budget which I'm not sure in terms of the surpluses. Because my number indicated we have a 40% increase. Actually, not even 30%, if we have the padding.

"So my point is I think we need to look at the budget, we need to be fiscally wise, but we also know planning ahead for all the things that we have in other areas are of extreme importance. So, with that, Mr. Speaker, I am now 90% sure, but not 95% sure. Thank you."

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

"Thank you, Mr. Speaker. I, too, would like to thank you for coming to the Finance Committee to explain some of the reasons that we needed this increase, although I didn't agree totally with you. I voted with reservations in the Finance Committee, and I will vote with reservations today, and take another look at the details before Final Reading.

"Yesterday, I got the statement for appropriations and expenditures for December, which I had been waiting for. And while I had estimated we might be left with $4 million, we actually are left with $4,474,000 out of a $10 million budget. That's about 40% to round it off.

"So that is a lot of money and I asked the Clerk, when she spoke about having to return the money to the general fund at the end of the fiscal period, which should be June 30th, I wanted to get an idea of how much money actually went back into the general fund, and she estimated somewhere between $30,000 and $50,000.

"But, you know, I think it's a little bit of 'voodoo' bookkeeping because as the Representative from Pearl City said, we're using that balance that's left as the first money we spend. So we have like one-and-a-half times our budget to work with, and we can use that money up, and apparently we've done a pretty good job of doing that if we can whittle it down to $30,000.

"So, I think if we have that kind of money, we have room to ask for not quite as much of an increase in this budget. Thank you, Mr. Speaker."

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

"Mr. Speaker and Members, I wish to speak in favor of the budget.

"First of all, I want to thank the leadership for providing increases for our Office Managers, a well-deserved increase.

"I want to advise the Members here that we are discussing the prevailing minimum wage right now. In fact, we had a discussion at the Labor Committee. The minimum wage for Hawaii, the prevailing wage is around $50,000. Ninety percent of our staff is making way below that, so, we ourselves, are guilty of not providing a prevailing wage. And so I say, this a gradual increase and well deserved and they need to be continual increases for our staff so that they will be competitive and can support themselves with a living wage. Again, Mr. Speaker, thank you very much."

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

"Thank you, Mr. Speaker. I would also like to stand with reservations. May I have the comments of the Representative from Pearl' City entered as my own comments?" and the Chair "so ordered."

Representative Belatti continued, stating:

"I would also like to add, Mr. Speaker that this should not be a debate about raising the wages of our very much, hard working staff members, because my understanding is with the budget reserves that we do have in place, we still can confer upon them the four to five percent increase that was spoken about in the Finance Committee meeting. And, so, I would like to note that I don't think that it's, if we don't agree with the full $1.2 million increase, we are not going to be also conferring salary increases to our staff members. Thank you."

The Chair then stated:

"Thank you, very much. We've had a lot of discussion. Tomorrow will be Third Readings and you will have the opportunity once more to debate this particular issue."

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

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

"Mr. Speaker, I rise in strong support. I'll keep my comments brief because I will save some of my remarks for Third Reading. I just wanted to make sure the Members understood what this budget does.

"This particular bill before you contains the appropriations, not only for the Legislative Branch, Mr. Speaker, but also the Auditor, the Ombudsman, the Legislative Reference Bureau, and the Ethics Commission. That's also contained within this bill.

"The second point that needs to be made, Mr. Speaker, and this is to clarify some of the misstatements that have been made in one of the daily newspapers here, that this is nothing near to any kind of 42% or 51% increase. In fact, if I look at the numbers, black and white, plain as day before me, the $2.7 million increase is only a 14.2% increase. So, it is no way near a 51% or 42% increase.

"Of the $2.7 million, Mr. Speaker, it goes to provide, and I'll break it down for you further: personnel cost, per diem cost, travel cost, communications cost, equipment cost, other miscellaneous cost.

"A lot of this goes to support our staff, provide meaningful wages for them. It also provides us the ability to communicate with our constituents, various town meetings, correspondence and mailings. It also allows us to have a broadcast like this live on *O'lelo* and Capitol TV.

"In fact, Mr. Speaker, it is my understanding that part of this budget appropriation would possibly enable us to have two or more cameras set up in our public hearing rooms. In fact one more camera on this very Chamber floor, so that the Members across the way, the Minority Caucus, will also be able to appear on television.

"Mr. Speaker, these budgets that we're working on today, just for the records, so everyone understands and puts things in perspective, have not grown since 1996, 1998, 1999, 2000, 2002, 2003, and 2004. And to also put it into context, Mr. Speaker, in the last four years of the current Governor's term, the Executive budget grew by 51%, and over that same period of time, we've grown about 30%. I will save the rest of my remarks for tomorrow, Mr. Speaker. Thank you."

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

"I just feel, Mr. Speaker, that we are living in a democracy and … I'm in support, Mr. Speaker. I'm sorry. I'm supporting the measure. I just would like to say that we are living in a democratic world and we, in this Chamber, should exercise the same democracy.

"For those of my colleagues that do not wish that their staff receive a raise, they may do so at their own will. They can withhold the raise for their staff. But, for us, who are willing to give raises to our staff, we should be allowed to do so. There's nothing stifling any Member in this Legislature to not give increase to their staff. They can do that. But for me, I would like to be able to give that to my staff. Thank you, Mr. Speaker."

Representative Pine rose to respond, stating:

"Just a rebuttal, Mr. Speaker. I'm sorry. I just want to state for the records, to my Office Manager, I'd love for you to have a raise. If we could just keep that in the budget, and everything else out, I think we'll all be fine. Thanks."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 638, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading, with Representative Berg being excused.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 17 and 18) were read by the Clerk and disposed of as follows:

H.R. No. 17, entitled: "HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE," was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 17 was adopted with Representative Berg being excused.

H.R. No. 18, entitled: "HOUSE RESOLUTION ADOPTING THE HOUSE ADMINISTRATIVE AND FINANCIAL MANUAL OF

THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE," was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 18 was adopted with Representative Berg being excused.

ANNOUNCEMENTS

Representative Bertram announced that the Committee on Higher Education, and the Committee on Water, Land, Ocean Resources and Hawaiian Affairs will be conducting public hearing today at 2:00 p.m. in Conference Room 309.

Representative B. Oshiro announced that the Committee on Judiciary will be conducting a public hearing today at 2:00 p.m. in Conference Room 325.

Representative Nishimoto, for the Committee on Transportation requested a waiver of the 48-hour advance notification to hear H.B. No. 356, tomorrow, Wednesday, January 31 at 10:00 a.m. in Conference Room 309, and the Chair "so ordered."

Representative Nishimoto: "H.B. No. 356 has to do with child endangerment. If you would like further details I will refer you to Representative Lee. Thank you."

Representative Manahan announced that the Senate Committee on Tourism and Government Operations and the Senate Committee on Transportation and International Affairs, along with the House Committee on Tourism and Culture and House Committee on Transportation will be holding an informational briefing today at 2:15 in Conference Room 229. The purpose of the informational briefing is to receive testimonies from several entities in the Hawaii cruise line and time share industries regarding the impact on the State economy.

Representative Manahan also announced that the Committee on Tourism and Culture will be conducting a public hearing tomorrow, Wednesday, January 31 at 8:30 a.m. in Conference 325 to hear six bills.

Representative Tokioka announced that the House Committee on Transportation and the Senate Committee on Transportation and International Affairs will be holding an informational briefing on Wednesday, January 31 at 8:30 a.m. in Conference Room 309.

Representative Chong announced that the Committee on Water Land, Ocean Resources and Hawaiian Affairs will be conducting a public hearing tomorrow, January 31 at 9:00 a.m. in Conference Room 312.

Representative Cabanilla: "I just have a question in my mind. Mr. Speaker, is it a policy now in the House that if you have a Committee hearing the following day or the day after, that we make an announcement on the floor?"

Speaker Say: "Yes. It is the policy that the Chair has decided to do so that members of the respective Committees know that they are to attend the public hearings for their respective Committees."

Representative Cabanilla: "In that case, Mr. Speaker, it's my privilege to inform everyone that there will be a Committee hearing …"

Speaker Say: "Representative Tokioka already made the announcement on that for you.

"I'm requesting all the Vice Chairs of their respective Committees to make the announcements of these public hearings so that Members of this Chamber are aware of the hearings being conducted in the afternoons and the following day, so that we can a hundred percent attendance at these public hearings."

Representative Tokioka: "Mr. Speaker. Just a matter of clarification. There are three meetings for the Committee on International Affairs. One is a joint committee meeting. Also, tomorrow at 8:35 a.m. in Conference Room 329, the Committee on International Affairs will be discussing three items with decision making to follow. And at 9:00 a.m. in Conference Room 329, the Committee on International Affairs, we will be discussing two matters, with decision making to follow. Thank you very much, Mr. Speaker."

Speaker Say: "From 8:35 all the way up to 11:35 or 11:45, the International Affairs Committee will have their hearings."

ADJOURNMENT

At 12:31 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, January 31, 2007. (Representatives Berg and Ito were excused.)

NINTH DAY

Wednesday, January 31, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:09 o'clock p.m., with the Speaker presiding.

Representative Evans introduced Major Shirley Haynes and Ms. Serena Camara, who then delivered the invocation. The Roll was called showing all members present with the exception of Representatives Berg, Souki and Takamine, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 229 through 241) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 229, transmitting the FY 2006 Crime Victim Compensation Commission Annual Report.

Gov. Msg. No. 230, dated January 29, 2007, requesting immediate passage of House Bill No. 1226 appropriating $626,000 in general funds to the Department of Accounting and General Services to cover electricity payments for state facilities.

Gov. Msg. No. 231, dated January 29, 2007, requesting immediate passage of House Bill No. 1227 appropriating $800,000 in general funds and $2,926,000 in revolving funds to the Department of Accounting and General Services to cover increases in property insurance premiums and deductibles.

Gov. Msg. No. 232, dated January 29, 2007, requesting immediate passage of House Bill No. 1338 appropriating $250,000 in compliance resolution funds to the Department of Commerce and Consumer Affairs to investigate power outages that occurred due to the earthquake on October 15, 2006.

Gov. Msg. No. 233, dated January 29, 2007, requesting immediate passage of House Bill No. 1345 appropriating $24,900,000 in general funds to the Department of Defense to cover emergency relief and recovery operations due to the earthquake on October 15, 2006.

Gov. Msg. No. 234, dated January 29, 2007, requesting immediate passage of House Bill No. 1370 appropriating $8,377,698 in general funds to the Department of Health for ongoing services provided by the adult mental health division.

Gov. Msg. No. 235, dated January 29, 2007, requesting immediate passage of House Bill No. 1371 appropriating $4,980,523 in general funds to the Department of Health for the State's Medicaid home and community-based services programs for persons with developmental disabilities and mental retardation.

Gov. Msg. No. 236, dated January 29, 2007, requesting immediate passage of House Bill No. 1372 appropriating $1,900,000 in general funds to the Department of Health for costs reimbursement of emergency aeromedical services provided by the Hawaii Army National Guard.

Gov. Msg. No. 237, dated January 29, 2007, requesting immediate passage of House Bill No. 1373 appropriating $5,299,809 in general funds to the Department of Health for early intervention services.

Gov. Msg. No. 238, dated January 29, 2007, requesting immediate passage of House Bill No. 1377 appropriating $41,000,000 in special funds to the Hawaii Health Systems Corporation for operational costs.

Gov. Msg. No. 239, dated January 29, 2007, requesting immediate passage of House Bill No. 1378 appropriating $950,000 in general funds to the Department of Health for Kahuku Hospital.

Gov. Msg. No. 240, dated January 29, 2007, requesting immediate passage of House Bill No. 1414 appropriating $4,500,000 in general funds to the Department of Taxation for administration of the City & County of Honolulu surcharge on the state general excise tax.

Gov. Msg. No. 241, dated January 29, 2007, requesting immediate passage of House Bill No. 1943 appropriating $10,000,000 in special funds to the Department of Health for the Deposit Beverage Container Program.

The Chair then announced:

"For the respective Chairs that these particular bills have been referred to, the Chair would like to recommend that you move these measures on as quickly as possible since they are emergency appropriations from the Executive Branch. I believe it is over a total of $50 million plus, so let's move this legislation on."

INTRODUCTION

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

Representative Takumi introduced his friends from the American Friends Service Committee, Mr. Cliff and Mrs. Jean Lester of California, and their friend, Ms. Peg Campbell of Cleveland.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
658	Committee on Consumer Protection & Commerce
675	Committee on Health, then to the Committee on Judiciary

STANDING COMMITTEE REPORTS

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 10, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 203, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 203, entitled: "A BILL FOR AN ACT

RELATING TO NEUROTRAUMA," passed Second Reading and was referred to the Committee on Health with Representatives Berg and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 12) recommending that H.B. No. 326, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 326, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 13) recommending that H.B. No. 228, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg and Takamine being excused.

At 12:20 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:59 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representative Takamine was excused.)

THIRD READING

S.B. No. 638, SD 1:

Representative Caldwell moved that S.B. No. 638, SD 1, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Finnegan offered Floor Amendment No. 1, amending S.B. No. 638, SD 1, as follows:

SECTION 1. Senate Bill No. 638, Senate Draft 1, is amended by amending Section 2 to read as follows:

"SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of [~~$11,670,163~~] $9,670,163, or so much thereof as may be necessary, for defraying any and all session and nonsession expenses of the house of representatives up to and including June 30, 2008, including the 2007 regular session, twenty-fourth legislature of the State of Hawaii, and pre-session expenses and the expenses of any committee or committees established during the interim between the 2007 and 2008 regular sessions.

The sum appropriated in this section shall be expended by the house of representatives."

Representative Finnegan moved that Floor Amendment No. 1 be adopted, seconded by Representative Meyer.

Representative Finnegan rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. I would like to speak in favor of this amendment. Thank you. Mr. Speaker, I know that it is not an easy job being the Speaker of the House and our Caucus appreciates the efforts that you put forth answering some of the questions that we had on the House budget. However, these are some numbers that are running and ruminating in my head.

"Of the total 2006 expenditures for the House, and that's including the carry-over money that was expended, as well as what was in the budget, a total of $8.9 million was expended. If this underlying measure is passed as is, we would have access to a total of $16 million in 2007. That is almost two times the amount expended in 2006.

"Mr. Speaker, it is not within the Republican DNA to let this go. We propose that we leave your spending total intact for now at $11.6 million, but appropriate $9.6 million from the general fund, and use $2 million of the $4.4 million of reserves. This means that there are still the cameras, the benches, the raises for staff would still be achievable. And this will also allow for approximately three months or so of reserves according to the actual expenditures from last year. Thank you, Mr. Speaker.

Representative Ward rose to speak in support of the proposed Floor Amendment, stating:

"Mr. Speaker, I rise in favor of the amendment. Thank you, Mr. Speaker. The value of this amendment is that it puts us back to normal rather than special. As the previous speaker mentioned, it essentially allows all the expenses for the existing Session funds to be met. All it does is it essentially do what everybody else does and that is do normal accounting based upon what is actually spent and then you add on top of that. And with this amendment there's still $2.4 million left into the reserve which is sufficient.

"Mr. Speaker, I would also add that part of the difficulty and why this amendment and probably why this confusion has resulted is there's seems to be a difference between cash and accrual and when we are doing one and when we are doing the other. If we may possibly suggest that let's stick to one. Generally, a 'mom and pop' does cash. A larger company like this one, if we are a company, does accrual. And that will show all the expenses, all the things you've committed; the sick leave that you mentioned in the details.

"So we appreciated your giving us the details, but I hope for the next time this will be at least the beginning of getting it and understanding what it is.

"And at the appropriate time Mr. Speaker, I would ask for a roll call vote. Thank you.

Representative Meyer rose to speak in support of the proposed Floor Amendment, stating:

"Thank you Mr. Speaker. I'm rising in support of the amendment. I think our concern is that we have been running a fairly large reserve in the last three or four years, and it looks like this year we would have a reserve from the '05 budget of close to$ 4.5 million. And as the Minority Leader said, if you add what is in the underlying bill $11.6, you come up with close to $16 million.

"I guess it's just in the nature of Republicans to be somewhat prudent when it comes to spending money. And it looks like with the underlying bill, we could easily end up after the '06 Session with more than $4.5 million, and maybe $6 million. That's a lot of general fund money to just be sitting there. And during this Legislative Session, we're going to hear all kinds of worthy organizations and ideas for using money, and it just seems that we should use the money we actually need and not go along and squirrel away a lot of

extra money. Although I realize it makes life easier. We don't worry about running out of money.

"But because we have the responsibility to look at all requests and try to fund the worthy causes as best we can, I think that this is a good compromise. So I hope that others in this Chamber will vote for this amendment. Thank you, Mr. Speaker.

Representative M. Oshiro rose to speak in opposition to the proposed Floor Amendment, stating:

"I am rising in opposition to this amendment. A couple of points. First of all, Mr. Speaker, in no way will the budget go from the $11.5 million budget to a $16 million budget in 2007. That's nothing but nonsense. It only tells me that the GOP DNA stands for 'Does Not Add.'

"Mr. Speaker, the facts speak for themselves in black and white. This is a $2.7 [$1.2] million increase to legislative budget.

"The third point, if the GOP is sincere in this maneuver this morning, then amongst themselves is comprised about 20% of the body. They can save the two million amongst themselves. Thank you, Mr. Speaker."

Representative Caldwell rose to speak in opposition to the proposed Floor Amendment, stating:

"Mr. Speaker, some additional comments that I wanted to provide a bigger perspective on the issue that we're dealing with. I'm standing against the amendment, Mr. Speaker. The big picture, Mr. Speaker. We do have three branches of government, and ours is one of them. If you look at the Executive Branch, they're spending this year about $5.1 … "

Representative Thielen rose stating:

"Mr. Speaker. Thank you, Mr. Speaker. Would you please ask the speaker to address the amendment that is before us? Not to go and attack the Executive Branch?"

The Chair responded, stating:

"I believe the Representative from Manoa is comparing our legislative budget with the Executive budget, which the Chair will allow him to do because he has done it in the past in allowing Members to compare apples with apples, oranges with oranges."

Representative Thielen: "Actually, Mr. Speaker, I don't believe that's relevant when we're talking about an amendment that deals with the House …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. This current speaker isn't rising on a point of order. She's trying to rise on rebuttal."

Speaker Say: "Correct. Representative Caldwell, please proceed."

Representative Caldwell continued, stating:

"Thank you very much, Mr. Speaker. Perhaps I'll start with the Legislature first. Our total legislative budget, the House, Senate, Auditor's office, is $33.4 million for this year, we're requesting. Judicial is a $134 million and the Executive Branch is $5.1 billion. So I just want to give a perspective as to what we're dealing with here. Three co-equal branches of government and the Legislative Branch is spending the least amount of money.

"Now in terms of background and history, we can all be proud of the fact, all of us here today and for those who have been here since '96, that the Legislature in the past eleven years has stuck to a zero budget in seven out of the eleven years. That's something we can all be very proud of. And under your leadership and others, and with the cooperation for all the members of the House, we were able for many years to keep the budget at zero. Unfortunately, the same cannot be said about the Executive Branch. And if you take the Executive Branch budget …"

Representative Thielen: "Mr. Speaker."

Speaker Say: "Representative Thielen, do you rise on a point of order?"

Representative Thielen: "Yes, I rise for a point of order. We're dealing with the House's budget, Mr. Speaker, and that's really the appropriate issue before us. And I would ask that you would direct the speaker across the aisle to leave the Executive Branch out of this. It's not relevant to what we're talking about today.

Speaker Say: "The Chair will allow the Representative from Manoa to use the comparative analysis of the Executive Branch and the Legislative Branch in defense of his position of not voting for the reduction. So please proceed, Representative Caldwell."

Representative Caldwell continued, stating:

"Thank you very much, Mr. Speaker. I'm almost finished with this comparison. The point I'm trying to make, Mr. Speaker, since we've heard that the Republicans say it's in their nature to be fiscally conservative, under the past four years of the Executive Branch, their budget has increased by over fifty percent, far outpacing any increase …"

Representative Meyer rose, stating:

"Mr. Speaker: I think there's no comparison between the Executive budget and the Legislative budget. The Executive budget under B&F runs all of the departments of the State. There's nothing that is comparative here."

The Chair responded, stating:

"Representative Meyer, at this point the Chair will rule you out of order because I've already stated to the Representative from Kailua that the Representative from Manoa may make the comparison between the Executive budget and the Legislative budget. Please be seated. Representative Caldwell."

Representative Caldwell continued, stating:

"Thank you, Mr. Speaker. I'm going to be moving on now. I won't be talking about the comparison anymore.

"The next point I wanted to make is one regarding fiscal responsibility. It's through your leadership and also the cooperation of members of this House that we do have this flow-through reserve that we're talking about right now. And that comes up as a result of fiscal responsibility that we've heard so much talked about today. Somehow that's being turned into a bad thing. The good thing, though, Mr. Speaker is with that reserve, we can pay all of our staff right now. And without that reserve, or a very thin reserve, we'd be pushing the limit as to whether we can pay that staff. It keeps us in operation.

"And part of it is because we have deferred action on certain things that need to be addressed in this House, since they've moved back ten years ago, almost eleven years ago. And this reserve, this flow-through reserve, will be used in the coming year to address some of those. I'd be very surprised if next year we see an additional increase in our Legislative budget. And so this reserve will help us do those things. And partly it's because we're probably going to be faced with probably a flattening of our economy. So it makes fiscal sense to make sure there's a sufficient reserve to do the things we need to do.

"The next point is, how much is sufficient, in terms of reserve. We've heard that discussed. I have right here, Mr. Speaker, eight or nine different financial advisors, nationally known, who talk about what is a sufficient amount of reserve. In a family budget, and we've heard discussion on this floor yesterday, about what is a sufficient reserve. And the average is somewhere between three to six months. The *Wall Street Journa*l recommends six to nine months of reserves."

Speaker Say: "Representative Meyer, yes. For what purpose do you rise?"

Representative Meyer: "The present speaker has exceeded the time."

Representative Karamatsu rose to yield his time, and the Chair, "so ordered."

Representative Caldwell continued, stating:

"Thank you, Vice Speaker. I appreciate it. The point is, Mr. Speaker, is that this reserve, while it may sound like a lot, may not be sufficient if we were not to reach an agreement with the Senate on the timetable in our budget, and we would not be able to pay the people who work and serve all the people of our State.

"Mr. Speaker, it's a worst case type of reserve. We're assuming what happens in the worst case. Albert Einstein, the great physicist said 'Politics is more difficult than physics, because at least with physics you can always predict with more accuracy.' We're in the people business and it's difficult to predict when you're dealing with people.

"Just this morning, Mr. Speaker, we saw the Governor send out twelve emergency budget bills. Twelve, totaling almost $100 million. We do not have that luxury as a Legislature to submit emergency appropriations. That provides flexibility that we don't have, therefore justifying why we need this reserve.

"Finally Mr. Speaker, all of us as politicians would love to say 'Let's put money back into the general fund.' It's a popular thing to state. But in the end, Mr. Speaker, should this amendment lose and my recommendation is to every Member of this body to vote no on the amendment, the next question is, will those people who supported the amendment accept the money and work with that reserve? And if we face a difficult time, that perhaps they will agree and I'd welcome an agreement on the Floor today, to say that they would not use that reserve. That they would maybe forego some of the requests that they have made.

"So my point is that it's easy to say a popular point like, 'let's give the back'. Lose. And then come back and say, 'but we'll take the money'. Thank you very much, Mr. Speaker."

The Chair then stated:

"Thank you very much. We've had a lot of discussion on this particular motion. The Chair recognizes Representative Finnegan for the last comment.

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. I would like to ask a question of the Representative from Aiea, Pearl City."

Speaker Say: "Will the Representative from Aiea, Pearl City yield to a question?"

Representative Takai: "Can she ask the question, Mr. Speaker?"

Speaker Say: "Please proceed in asking the question before he yields to the question."

Representative Finnegan continued, stating:

"Mr. Speaker, we received a chart that explains the amount of money that was expended last year, both the carry-over money, as well as the – from the budget, the allocation to the House budget. And in this amount, it shows that the total expenditures were $8.9 million. And if we take that amount of $8.9 million for last year and we take the $4.4 in carry-over funds that we have this year, along with what we're about the pass on the underlying measure of $11.6 million, that we will end up with the ability to access, access … Not to just have a $16 million budget, that's not what we're saying. What I'm saying is that we can access $16 million.

"I just want to know because this hard work that was done from the documents that were supplied by the Clerk's Office, if this is what I'm to understand from this, and get from these numbers, are these numbers correct? Are these numbers true? Are these numbers … It would give us basically $16 million in 2007 based upon an $8 million expenditure from last year. That's my question."

The Chair then addressed Representative Takai, stating:

"Representative Takai, would you yield to the question?"

At 1:16 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:22 o'clock p.m.

At this time, the Chair stated:

"At this time, the motion before this body is an amendment offered by Representative Finnegan and Representative Meyer. Representative Ward has called for a roll call vote, and the Chair will recognize the Majority Leader, Representative Caldwell.

Representative Caldwell rose, stating:

"Mr. Speaker, in the spirit of bipartisanship, I'd like to join with the Representative from the Minority Party and ask for a roll call vote also."

Speaker Say: "So there are a majority of votes here. For those who support the motion will say 'Aye'. Those who do not support the motion will say 'No.' Does everyone understand? Representative Bertram, do you understand what the Chair has stated?"

Representative Bertram: "Yes, I have."

Roll call having been requested, the motion that Floor Amendment No. 1, amending S.B. No. 638, SD 1, entitled: " A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," be adopted, was put to vote by the Chair and failed to carry on the following show of Noes and Ayes:

Noes, 39: Representatives Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Say, Shimabukuro, Sonson, Souki, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Ayes, 11: Representatives Awana, Belatti, Ching, Finnegan, Marumoto, Meyer, Pine, Saiki, Takai, Thielen and Ward.

Excused, 1: Representative Takamine.

(Main Motion)

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

"Yes, Mr. Speaker, I'm speaking in opposition to the measure. I'm actually speaking in opposition not because of any of the reasons that were said in the amendment, but really, yesterday I was accused by another Member of the House of not being in favor of pay raises for my staff. And that really got me to thinking. What is this bill really about?

"And with this Session starting with this great ethics bill that I hope gets passed, it also made me start thinking about ethics in this Legislature. And so Mr. Speaker, I rise in opposition because I do care about my staff Mr. Speaker, and I think today's a good day to point out what's unethical about how my staff is being paid.

"Mr. Speaker, currently, if you choose to work for a Republican Representative, you will get paid less. It's the policy of this body that every Republican office will be given $500 less to pay their staff. And Mr. Speaker, I just can't stand here to vote in favor for a bill that pays my staff less just because they decided to work for me.

"And I do want to say that I'm so proud of my staff because so many of them could work for someone else and get paid a lot more, but they decided to work for me, a Republican, because they love Ewa Beach, they love the people of Hawaii, and they want the Ewa Beach to be represented a certain way. And so Mr. Speaker, in the spirit of ethics and in the spirit of fairness, I am in opposition.

"I do want to make one more note that I forgot to say. We did bring this up when this policy was first mentioned and we're told that the reason why Republicans got less for their staff is because some of the Democrats had Committee Chairs or Vice Chairs, and we did point out that there are many examples where this was not the case. And it's definitely not the case again this time around. And the only common denominator that gave people more money for their staff was that they were a Democrat office. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 638, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Finnegan, Meyer and Pine voting no, and with Representative Takamine being excused.

At 1:27 o'clock p.m., the Chair noted that S.B. No. 638, SD 1, passed Third Reading.

ANNOUNCEMENTS

Representative Mizuno announced that the House Committee on Health and the Senate Committee on Health and the Senate Committee on Intergovernmental and Military Affairs will be conducting an informational briefing today at 1:30 p.m. in Conference Room 016.

Representative Mizuno: "Also another announcement. There will be a reception for the Hawaii Global Youth Center in Conference Room 329, tonight from 5:00 to 7:00 p.m. Feel free to join us, as well your staff. Thank you, Mr. Speaker."

Representative McKelvey announced that the Committee on Consumer Protection and Commerce will be conducting a public hearing today at 2:00 p.m. in Conference Room 325, with decision making to follow.

Representative Carroll announced that the Committee on Energy and Environmental Protection will be conducting a public hearing Thursday, February 1 at 8:00 a.m. in Conference Room 312.

Representative Rhoads announced that the Committee on Human Services and Housing will be conducting a public hearing Thursday, February 1 at 8:30 a.m. in Conference Room 329.

"There will be a couple of substitutions. H.B. No. 927 will not be on the agenda. And H.B. No. 722 having to do with nursing homes is going to be put on the agenda. Thank you."

Representative Rhoads, for the Committee on Human Services and Housing, then requested a waiver of the 48-hour advanced notice to hear H.B. No. 722, relating to nursing homes, Thursday, February 1 at 8:30 a.m. in Conference Room 329, and the Chair "so ordered."

Representative Har announced that the Committee on Public Safety and Military Affairs will be conducting a public hearing Thursday, February 1, at 8:30 a.m. in Conference Room 309; and at 9:00 a.m. in Conference Room 309.

Representative Wakai announced that the Committee on Economic Development and Business Concerns will be conducting decision making, and a public hearing, Thursday, February 1 at 9:00 a.m. in Conference Room 325.

ADJOURNMENT

At 1:30 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 1, 2007. (Representative Takamine was excused.)

TENTH DAY

Thursday, February 1, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:02 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Lieutenant Governor James R. "Duke" Aiona, Jr., after which the Roll was called showing all members present with the exception of Representatives Souki and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the First, Second, Third, Fourth, Fifth, Sixth and Seventh Days were approved. (Representatives Souki and Takamine were excused.)

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 44) was received by the Clerk and was placed on file:

Dept. Com. No. 44, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Sunrise Analysis: Mixed Martial Arts.

INTRODUCTIONS

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

Representative Berg, on behalf of Representative Takumi and herself, introduced members of the 2006 Secondary Student Conference Planning Committee and the Hawaii State Student Council.

Lindsey Nakashima of Kalaheo High School, Secondary Student Conference Planning Committee Chairperson;

Gabe Ganibe of Mililani High School, Hawaii State Student Council Chairperson; and

Darren Ibara of Roosevelt High School, Board of Education Student Member.

Advisors:
Susan Sato, Department of Education State Advisor;
Regina Yoshimori, Windward District;
Egan Kawamoto, Honolulu District;
Sean Ibara, Kauai District;
Clifford Fukuda, Central District;
Susan Marciel, Leeward District;
Janice Uemori, Leeward District;
Netlie Yokoyama, Hawaii District;
Glenda Joyo, Maui District; and
Robert Witt, Hawaii Association of Independent Schools.

Representative Takai then rose and asked that the names of all members of the Student Conference and State Student Council be recorded in the Journal, and the Chair, "so ordered."

2006 Secondary Student Conference Planning Committee:
Lindsey Nakashima, Student Chairperson, Windward District;
Lori Arakaki, Student Vice Chairperson, Hawaii Association of Independent Schools;
Aarathi Parmley, Windward District;
Nakisha Taluwela-Lewis, Central District;
Angelie Angeles, Leeward District;
Ashley Napoleon-Kawelo, Leeward District;
Natasha Miyashiro, Honolulu District;
Angela Fujii, Hawaii District;
Kristen Uchima, Hawaii District;
Jennifer Bonilla, Maui District;
Aileen Ferrer, Maui District;
Marisa Agena, Kauai District;
George Bogden, Hawaii Association of Independent Schools;

2006-2007 Hawaii State Student Council
Gabe Ganibe Chairperson
Beatrice Morlan, Vice Chairperson, Windward District;
Marielle Crisolo, Central District;
Tony Fujii, Honolulu District;
Jasmine Enos, Leeward District;
Jessica Young, Leeward District;
Sara-Ashley Tellio, Windward District;
Darren Ibara, BOE Student Member;

Representative Ching introduced Ms. Susan Minami, former principal at Maemae Elementary School who was also with the group of student leaders.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
485	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1498	Committee on Energy & Environmental Protection
1797	Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1943	Committee on Finance

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

H.R. No.	Re-referred to:
13	Jointly to the Committee on Human Services & Housing and the Committee on Health

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 19) was announced by the Clerk and the following action taken:

H.R. No. 19, entitled: "HOUSE RESOLUTION RECOGNIZING ADMIRAL WILLIAM J. AND MARY FALLON FOR THEIR OUTSTANDING DEDICATION, COMMITMENT, AND SERVICE TO HAWAII'S MILITARY COMMUNITY AND TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Caldwell, Evans and Takai.

Representative Caldwell, moved that H.R. No. 19 be adopted, seconded by Representative Takai.

Representative Caldwell introduced the honorees, Admiral William J. Fallon and Mrs. Mary Fallon, who were seated on the floor of the House.

Representative Takai and Representative Ward further recognized Admiral Fallon and Mrs. Fallon for their dedication, commitment and service to Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 19 was adopted with Representative Souki being excused.

At this time, the Chair invited Admiral Fallon to approach the rostrum and address the Members of the House of Representatives.

Admiral Fallon then gave the following remarks:

"Mr. Speaker, distinguished Members of the Legislature, it's a great honor, especially for Mary and I, to be in your midst and to be so honored and recognized as you have done today. We have certainly mixed emotions. All is happening too quickly.

"We have to share with you a couple of thoughts. First, is that in the two years we have had the pleasure of being in your midst, we found the unique experience of being received here to be unlike anything we have found in the world. And this is not to try to 'blow smoke', as they say in our business. In fact, I think that one of the reasons I may have been asked to assume this new responsibility is because I try to do very little of that. And, so, it has been special.

"And we realize that the warmth and genuine spirit of aloha with which we have been received are not unique to the Fallons, but to many, many of our service personnel who have come to live here or to be based here. Thank you for that. It truly makes a difference.

"And I will tell you that, as we prepare to embark on this new challenge, I am aware certainly of the importance, and I am acutely aware of the magnitude of the task.

"I was recently in Iraq visiting our forces, many of whom are based here in Hawaii. And just on Monday, Mary and I were privileged to attend an opening of a very special institution down in Texas at the Brook Army Hospital. And it's called the Center for the Intrepid. I think it would be of value for me to share with you a couple of thoughts about this because it represents so much about our country.

"It's a new facility, a medical facility that was constructed solely with donations from individuals in this country. It's state-of-the-art, world class. They tell me there is nothing like it in the world. And the sole purpose is to try to heal the bodies of the service personnel that have been wounded in defense of our country in distant places.

"The idea that Americans would do this and feel so strongly that it was something they ought to do, besides from the government, speaks volumes.

"The sacrifice of the men and women we saw on Monday, who are going to be able to benefit from this facility, also would bring tears to your eyes because many of these people have given much of themselves on our behalf. And their spirit is incredibly strong. Their will to live and to do good in the world is undiminished by the tortuous experiences of their recent past. I was amazed at their resilience and their example.

"And so it gives me the courage to step to this responsibility that awaits us. And we'll do the best job we can. And I would also encourage you as leaders in this State to continue to demonstrate to people in Hawaii and in the world what it is to be a part of, live in, support and sustain a democratic process in which people have choices and get to say what they think and to debate openly issues and to make progress.

"I also believe that the example here in Hawaii of many peoples of many cultures, ethnic, religious, and political backgrounds coming together to live in harmony is something that we'd love to have exported to some of these places that we'll probably get to see very soon. And so I encourage you to continue by your good example so that all can see and benefit from it.

"As we take our leave, we thank you again for the warm aloha that you have showed to us and to all the military families here in this beautiful State. We don't know when, but we eagerly look forward to a quick return and spend a lot more than a couple of days back in your midst.

"We don't know where the 'anchor will finally drop', but there's a pretty strong tug very close to the place where I'm standing right now. We look forward to it. Thank you for your kindness and your hospitality, and your support and your service."

The Chair then stated:

"Admiral Fallon, on behalf of the House of Representatives, we wish to thank you for the service you have given this nation, and for the stewardship and leadership you have provided as the Commander of forces in the Pacific.

"Mrs. Fallon, we are also indebted to you for your efforts to maintain an open and strong relationship between our military, government, and our local community.

"To the both of you, you will be missed by those of us in Hawaii who have had the opportunity to make your acquaintance and understand the good work you have done here.

"However, please know that we wish you the best of luck as you embark on your new assignment, and we know you will do us proud. Thank you, very much."

At 12:31 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:42 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 14) recommending that H.B. No. 13, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Saiki, Souki and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 15) recommending that H.B. No. 17, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 17, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Saiki, Souki and Takai being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 16) recommending that H.B. No. 592, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 592, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Saiki, Souki and Takai being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 17) recommending that H.B. No. 20, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 20, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Saiki, Souki and Takai being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 18) recommending that H.B. No. 23, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 23, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Luke, Saiki, Souki and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 19) recommending that H.B. No. 469, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Luke, Saiki, Souki and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 20) recommending that H.B. No. 150, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Luke, Saiki, Souki and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 21) recommending that H.B. No. 534, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 534, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Second Reading and was referred to the Committee on Transportation with Representatives Luke, Saiki, Souki and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 212, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 212, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"I stand with reservations on this measure, this report. Standing Report No. 22 is A Bill for an Act Relating to Health Care and what this is about is the State Health Planning and Development Agency to maintain a statewide comprehensive healthcare workforce map and database.

"The reason I'm standing is this has been brought before the Legislature before, and in the Finance Committee, when asking the hard questions, what you realize is that this particular agency within the Department of Health is making decisions constantly on healthcare facilities, and what I'm specifically referring to is the Certificate of Need. It is very surprising that they are asking us to fund them when in reality, they should have this information to make the decisions they make on a regular basis. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Luke, Saiki, Souki and Takai being excused.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. The Committee on Energy and Environmental Protection will reconvene their hearing immediately after session in Room 312."

Representative Caldwell: "Mr. Speaker, I have a very important announcement to make. This affects this entire body.

"Fifty five years ago today, Mr. Speaker, a baby boy was born and returned to his home valley of Palolo, where he grew up and learned the ways of his community. That person is our Speaker, Calvin Say, who, you can tell by his golden locks, remains young, handsome and strong. We would like to sing 'Happy Birthday' to you, Mr. Speaker, if that's okay. And the Representative from Kapolei would like to present a *lei* to you. So, Members, would you join me in singing 'Happy Birthday'?"

Speaker Say: "How about after we adjourn, so it's not part of the record?"

Representative Caldwell: "Okay, Mr. Speaker. We'll keep it off the record. I would like to announce and invite all Members, both Minority and Majority, to join us over in the Majority lobby area for the singing of 'Happy Birthday' to the Speaker and having cake and ice cream. Thank you very much."

Speaker Say: "Thank you. There is one other announcement I would like to make. For all of you, please read pages from A to N, which are the public hearing notices. And I think there was a request from Chair Morita."

ADJOURNMENT

At 12:46 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 2, 2007. (Representatives Luke, Saiki, Souki and Takai were excused.)

ELEVENTH DAY

Friday, February 2, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Josh Green, M.D., after which the Roll was called showing all members present with the exception of Representatives Har, Herkes and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 242 through 245) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 242, dated January 29, 2007, informing that as of December 1, 2006 (the cut off date for the Report on this matter), the Department of Transportation, Harbors Division, did not expend any funds appropriated by Section 13.2. However, the Department of Transportation is currently processing payments relating to the repair and other expenses incurred at Kawaihae Harbor following the October 15, 2006 Earthquake.

Gov. Msg. No. 243, dated January 30, 2007, transmitting the Report from the Department of Transportation on Act 70, Session Laws of Hawaii 2006.

Gov. Msg. No. 244, dated January 29, 2007, transmitting the Report from the Department of Transportation on Section 11.1 of Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006.

Gov. Msg. No. 245, dated February 1, 2007, transmitting the Employees' Retirement System's (ERS) Post Retirement Allowance Study.

INTRODUCTIONS

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

Representative Berg introduced students from Princeton University and members of the *a capella* group, Shere Khan. They were accompanied by parents Mr. and Mrs. Atwater, and Representative Berg's legislative staff, Ms. Liz Labby, Ms. Any Popovich, and Mr. Ian Lind.

At this time Shere Khan, an a cappella group from Princeton University, entertained the members of the House of Representatives with a short medley of songs.

Representative Waters introduced his legislative shadow, Mr. James Sullivan from the Hawaii Job Corp Center in Waimanalo. He was accompanied by Representative Waters' legislative researcher, Mr. Chris Vandercook.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
1161	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
1279	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 20) was announced by the Clerk and the following action taken:

H.R. No. 20, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING TADD FUJIKAWA AS THE YOUNGEST PLAYER TO QUALIFY FOR THE UNITED STATES OPEN AND THE SECOND YOUNGEST TO MAKE THE CUT IN A P.G.A. TOUR EVENT," was jointly offered by Representatives Wakai and Nishimoto.

Representative Wakai, moved that H.R. No. 20 be adopted, seconded by Representative Nishimoto.

Representative Wakai introduced Mr. Tadd Fujikawa; accompanied by his parents, Mr. Derek Fujikawa and Mrs. Lori Fujikawa.

The motion was put to vote by the Chair and carried, and H.R. No. 20 was adopted with Representatives Har and Herkes being excused.

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

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

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 202, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPSYCHIATRY," passed Second Reading and was referred to the Committee on Health with Representatives Har and Herkes being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 669, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 669, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNIVERSITY OF HAWAII HEALTHCARE WORKFORCE SIMULATION RESOURCE LABORATORIES," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Labor & Public Employment with Representatives Har and Herkes being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 1528, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1528, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 1081, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Herkes being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 27) recommending that H.B. No. 1193, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1193, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Herkes being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 28) recommending that H.B. No. 100, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 29) recommending that H.B. No. 928, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 928, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 102, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 102, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Herkes being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 55, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 223, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 223, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Herkes being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 861, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 861, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Herkes being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 5, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 5, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Herkes being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 1947, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1947, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN FOR AND TO HOST THE INTERNATIONAL INDIGENOUS HEALTH CONFERENCE, "HEALING OUR SPIRIT WORLDWIDE" IN HAWAII," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Herkes being excused.

The Chair then addressed Representative Awana, stating:

"Representative Awana, what is the motion before this body at this point in time? These particular two measures are up for Third Reading which we'll be addressing next week Monday because it is on your desk for the 48-hour notice."

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 21, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 21, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har and Herkes being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 25, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har and Herkes being excused.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, I am requesting a short Chair's meeting in the Majority Caucus Room immediately after adjournment. Thank you."

Speaker Say: "Today being Aloha Friday, for all of you, if you look on pages A to U, there are the respective public hearing notices that you will be attending for your Committee hearings. Right now, it's 12:35. Let's get out by 12:36 so we can all have lunch."

ADJOURNMENT

At 12:35 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 5, 2007. (Representatives Har and Herkes were excused.)

TWELFTH DAY

Monday, February 5, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:04 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Representative Faye P. Hanohano, after which the Roll was called showing all members present with the exception of Representatives Har, Lee, Luke, McKelvey, Meyer, Pine, Souki, Takamine and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 246 through 248) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 246, dated February 1, 2007, transmitting the Report Pursuant to Act 160, Section 36.2, Session Laws of Hawaii 2006, Requiring the Office of Health Status Monitoring to Prepare a Yearly Detailed Progress Report on the Reinvention of the Vital Statistics System.

Gov. Msg. No. 247, dated January 17, 2007, transmitting the Aloha Tower Development Corporation Annual Report 2006.

Gov. Msg. No. 248, dated February 2, 2007, transmitting the Department of Human Service's Report as required by Act 302, SLH 2006.

At 12:09 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:17 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
15	Committee on Judiciary
16	Committee on Health

H.C.R. Nos.	Referred to:
29	Committee on Judiciary
30	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
31	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
32	Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance
33	Committee on Health
34	Committee on Energy & Environmental Protection
35	Committee on Transportation

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 239, pass Second Reading and be referred to the Committee on Human Services & Housing.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 239, pass Second Reading and be referred to the Committee on Human Services & Housing, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would like to speak on HB No. 239, with reservations. And I would like to state my reservation. As long as the appropriation being requested in this measure does not interfere with the funding of, or future funding of UH West Oahu and UH Hilo. And realize that there are two universities being built in this decade and I would like the first appropriations to go to those, as opposed to getting into another endeavor of building housing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 239, entitled: "A BILL FOR AN ACT MAKING A MATCHING FUNDS APPROPRIATION TO INCREASE STUDENT ON-CAMPUS AND NEARBY HOUSING," passed Second Reading and was referred to the Committee on Human Services & Housing, with Representative Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 39) recommending that H.B. No. 525, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 525, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN'S TRANSITION TO ADULTHOOD," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 40) recommending that H.B. No. 14, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 14, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 41) recommending that H.B. No. 22, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 22, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION REPAIR AND MAINTENANCE ACCOUNTS," passed Second Reading and

was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 42) recommending that H.B. No. 770, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 770, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 43) recommending that H.B. No. 56, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 56, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"In regards to Standing Committee Report 43, House Bill 56, I just had reservations, more so toward the part of the bill that authorizes the Commission to seek waivers in federal law. I would also like additional comments please," and the Chair "so ordered.

Representative Finnegan's written comments are as follows:

"Mr. Speaker, although I have reservations about government funded or socializing health care, I am okay with the continuing discussion of how much such initiatives will cost.

"I am concerned about subsection 2, item c, "The commission may seek waivers of federal law, rule, or regulation necessary to implement and maintain the provisions of this chapter."

"Dealing with the federal government is like finding your way through a maze and this should be done through the State departments. Thank you."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations. I appreciate the intent behind establishing a Hawaii Health Commission to develop a health plan that provides coverage to all people in the State of Hawai`i. I strongly believe that every member of our society needs and deserves a core group of medical and surgical medicine. The issue of universal coverage merits further study.

"The one-year time frame for the Commission to deliver its findings to the Legislature is too brief and the funding assigned to the project is too little. To reiterate the testimony of State Insurance Commissioner J.P. Schmidt testifies on behalf of the Department of Commerce and Consumer Affairs, there is no one at the Insurance Division with the expertise needed to develop a health plan. To accomplish the work required to develop the project, more time and more funding above the $200,000 request will be needed.

"Ultimately, because there is an infinite demand for healthcare, placing the decisions in the hands of our government and insurers will not increase the effectiveness of healthcare. Such decisions are best left to patients and their physicians."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 56, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 44) recommending that H.B. No. 593, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 45) recommending that H.B. No. 24, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 24, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 46) recommending that H.B. No. 26, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 26, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I have strong reservations on this bill. This bill creates an undesirable precedent for other Executive branch boards and commissions to request similar compensation. One of the critiques of our current system is that there needs to be clarification of the roles and responsibilities of the BOE and their wants to micromanage the DOE and Charter Schools.

"Therefore, I have some serious reservations and will reserve further comments should there be a Third Reading on this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takamine being excused.

Representatives Takumi and Green, for the Committee on Education and the Committee on Health presented a report (Stand. Com. Rep. No. 47) recommending that H.B. No. 16, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 16, HD 1, pass Second Reading and be

referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 16, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representative Chang voting no, and with Representative Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 863, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 863, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"I'd like to register a no vote on House Bill 863. This is a bill that attempts to treat certain private construction projects as if they were public works projects. I would like to have permission to insert additional remarks in the Journal," and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"This bill attempts to treat certain free market, private construction projects conducted on private property as if they were public works projects, unnecessarily driving up costs by subjecting them to Chapter 104 of the Hawaii Revised Statutes. This bill would require these private contractors to sign a lease agreement to pay "prevailing wages" set by the State that may be above fair market wages, driving up costs. This bill would require additional paperwork not currently required, again driving up costs."

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations. I support the intent of H.B. 863, which proposes updating Chapter 104 to require certain private construction projects to pay prevailing wages and file certified payrolls along with other provisions. However, we must be mindful that this legislation is substantively identical to H.B. 2641, vetoed by the Governor in the 2006 Legislative Session.

"H.B. 863 addresses the private development of facilities that are to be used by government, based on a pre-construction agreement to lease back or to turn over outright to the State or county. Expanding coverage to mixed public and private use projects would be confusing and burdensome to the private parties in a construction project. The measure limits the State's or county's ability to negotiate favorable lease terms because inclusion of any State interest in private projects would subject the project to the administrative burden of Chapter 104 and possibly to the penalties and costs of litigation. Also, the Department of Labor and Industrial Relations would have difficulty enforcing Chapter 104 because it would not have access to any construction contract funds that could be withheld in order to pay laborers who were not paid prevailing wages."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 863, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representative Meyer voting no, and with Representative Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 49) recommending that H.B. No. 1493, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1493, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 887, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 887, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Meyer's written remarks are as follows:

"This bill would encourage litigious behavior by disgruntled employees, and could be used as retribution for disciplinary action taken against a poorly performing public employee. Also, requiring "conspicuous" postings of notices in public workplaces encouraging whistleblowers to report acts alleged to be "economically wasteful or involving gross misconduct, incompetence, or inefficiency" would not exactly inspire public confidence in the operations of government."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 51) recommending that H.B. No. 393, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 393, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

Representative Meyer's written remarks are as follows:

"This bill would require the State and counties to offer health insurance to its emergency and temporary hires and to part-time employees who work fewer than twenty hours per week, if those employees do not possess health insurance through an employer or a retirement plan. This would destroy the underwriting rules for eligibility, leading to the State and counties having to offer insurance to people with expensive health problems who have only worked a few hours for the State or counties."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 52) recommending that H.B. No. 154, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 154, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 1447, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1447, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1447, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representative Chang voting no, and with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 1484, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO SPEEDING," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 64, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 64, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Finance, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 372, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 372, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ENGINEERING SCHOLARSHIP PROGRAM," passed Second Reading and was referred to the Committee on Higher Education, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 1549, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1549, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT INVESTIGATION," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 58) recommending that H.B. No. 362, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 362, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENTS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 59) recommending that H.B. No. 351, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 351, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Takamine being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 60) recommending

that H.B. No. 540, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 540, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GLOBAL YOUTH CENTER IN HAWAII," passed Second Reading and was referred to the Committee on Higher Education, with Representative Takamine being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 61) recommending that H.B. No. 1117, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1117, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Takamine being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representative Takamine was excused.)

THIRD READING

H.B. No. 21, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 21, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

H.B. No. 25, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

At 12:25 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

At 12:25 o'clock p.m., the Chair noted that H.B. Nos. 21, HD 1, and 25, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 21) and concurrent resolutions (H.C.R. Nos. 36 and 37) were referred to Printing and further action was deferred:

H.R. No. 21, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY THE IMPACT OF CIGARETTE FIRE SAFETY STANDARDS ESTABLISHED IN OTHER STATES," was offered by Representative Say, by request.

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED NATIONS, EUROPEAN UNION, AND NORTH ATLANTIC TREATY ORGANIZATION TO PURSUE POLICIES DIRECTED AT ENDING THE ONGOING CONFLICT IN THE DARFUR REGION OF WESTERN SUDAN," was jointly offered by Representatives Cabanilla, Berg, Mizuno and Sonson.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY THE IMPACT OF CIGARETTE FIRE SAFETY STANDARDS ESTABLISHED IN OTHER STATES," was offered by Representative Say, by request.

ANNOUNCEMENTS

Representative Caldwell: "I'd like to announce and remind all the Chairs that we're going to be having a Chairs meeting today at 1:00 p.m. in the Policy Room, Room 437 and lunch will be provided."

Representative McKelvey announced that the Committee on Consumer Protection and Commerce will be conducting a public hearing today, February 5 at 2:15 p.m. in Conference Room 325.

Representative Mizuno announced that the Committee on Health will be conducting a public hearing tomorrow, February 6 at 9:00 a.m. in Conference Room 329.

Representative Mizuno, for the Committee on Health also requested a waiver of 48-hour advanced notice requirement to hear two bills: HB No. 1335 and HB No. 877.

"House Bill 1335 is relating to Chapter 460 of the Hawaii Revised Statutes. This bill clarifies the osteopathic doctors' residency program in Hawaii.

"In addition, Mr. Speaker, we'd like to ask for a waiver of the notice requirement for House Bill 877. It's entitled 'Relating to Health.' The contents of it requests or asks for audits of all non-profit mutual benefit societies in Hawaii to be conducted by the State Insurance Commissioner."

ADJOURNMENT

At 12:27 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 6, 2007. (Representative Takamine was excused.)

THIRTEENTH DAY

Tuesday, February 6, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Sharon E. Har, after which the Roll was called showing all members present with the exception of Representative Pine, who was excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 249 through 251) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 249, dated February 1, 2007, transmitting the Report Pursuant to Section 342G-15, Hawaii Revised Statutes Requiring the Office of Solid Waste Management to Give an Annual Report on Solid Waste Management.

Gov. Msg. No. 250, dated January 30, 2007, transmitting the Office of Youth Services' Report as required by Act 160, Section 38.4, Session Laws of Hawaii 2006.

Gov. Msg. No. 251, dated January 29, 2007, transmitting the Department of Agriculture's Transfer of Revolving Fund Monies Annual Report for calendar year ending December 31, 2006.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 5) was received and announced by the Clerk:

Sen. Com. No. 5, transmitting S.B. No. 6, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," which passed Third Reading in the Senate on February 5, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representative Pine was excused.)

S.B. No. 6

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 45 and 46) were received by the Clerk and were placed on file:

Dept. Com. No. 45, dated February 5, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management Audit of the Student Housing Services at the University of Hawai'i at Mānoa, Part 1.

Dept. Com. No. 46, dated February 5, 2007, from Patricia Hamamoto, Superintendent, Department of Education, transmitting the Department of Education Operating Budget Request, Fiscal Biennium 2007-09, dated January 2007.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
372, HD1	Committee on Transportation, then to the Committee on Finance
540, HD1	Committee on International Affairs, then to the Committee on Finance
763	Committee on Labor & Public Employment, then to the Committee on Finance
1001	Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1020	Committee on Tourism & Culture, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 62) recommending that H.B. No. 252, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 252, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Please note my reservations and I would like written comments please."

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

"Thank you, Mr. Speaker. I also have some reservations. I note that most of those fees are going to double and I think we're worried about the cost of housing and every time we add more taxes to something, it adds to the cost."

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

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

"As you can see, it's part of the DNA. According to one, it 'does not add', but to others it would mean, 'do not agree' with taxpayers, and that's why I have reservations."

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

"Mr. Speaker, I stand in support of this bill. It attempts to address the issue of speculation in the real estate market, which has greatly hurt our local residents. Thank you."

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

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I might as well just say my written comments. In regards to these increased costs, and I'm still with reservations, what happens is these costs are going to the purchase of the cost for the purchase of properties, and that will affect people who purchase the properties, which could be owner occupants and our local residents. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 252, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAXES FOR SPECULATIVE SALES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Pine and Souki being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 63) recommending that H.B. No. 1847, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1847, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Pine and Souki being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 64) recommending that H.B. No. 1684, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1684, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising to speak in support of the bill accompanying Standing Committee Report No. 64.

"Mr. Speaker, what this bill does is establish an international liaison for the Legislature within the Department of Business and Economic and Development and Tourism.

"When you look at the bill on page 1, I would hope that the subsequent Committee would add another factor for the Office to address, and that specifically is climate change.

"The liaison will be working internationally, and right now it is to look at areas of international business, economy, culture, education and the arts. I find that climate change is really a critical issue and should be included. Therefore, Mr. Speaker, I request that Legislative Management please look at that and see if that shouldn't be an addition to the bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL LIAISON FOR THE LEGISLATURE," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Pine and Souki being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 65) recommending that H.B. No. 194, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 194, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection with Representatives Pine and Souki being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 66) recommending that H.B. No. 275, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 67) recommending that H.B. No. 1288, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1288, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII SECTION 529 COLLEGE SAVINGS PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 68) recommending that H.B. No. 681, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Souki being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 69) recommending that H.B. No. 63, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 63, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 70) recommending that H.B. No. 767, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION," passed Second Reading and was

referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 71) recommending that H.B. No. 18, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 18, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 72) recommending that H.B. No. 598, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 598, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 73) recommending that H.B. No. 429, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 429, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 74) recommending that H.B. No. 504, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 75) recommending that H.B. No. 581, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 76) recommending that H.B. No. 627, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 627, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would like to declare a potential conflict of interest. I'm a graduate of Hawaii Preparatory Academy. I also was the President of the Alumni Association. And my wife is currently on their Board of Governors," and the Chair ruled "no conflict."

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

"Mr. Speaker. I'll follow the request. My oldest son went to Hawaii Preparatory Academy," and the Chair ruled "no conflict."

Representative Thielen continued, stating:

"Mr. Speaker, that was many years after the prior speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 627, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 77) recommending that H.B. No. 19, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 19, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 78) recommending that H.B. No. 595, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 595, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 79) recommending that H.B. No. 103, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 80) recommending that H.B. No. 734, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 734, HD 1, pass Second Reading and

be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would like to declare a potential conflict. The firm of which I'm a partner does represent some of the largest landowners on the Land Reform Act issue, and would like declare a potential conflict," and the Chair declared, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 734, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 81) recommending that H.B. No. 852, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 852, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 82) recommending that H.B. No. 1672, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Pine and Souki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 83) recommending that H.B. No. 896, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 896, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 84) recommending that H.B. No. 750, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 750, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, there were concerns that came up in Committee that cause me to pause and think that giving the Ombudsman this authority is not an overall good policy. By law, the Department of Taxation holds all taxpayer information in strictest confidence. Taxpayer privacy rights far outweigh the Ombudsman's investigative interests for a potential few complaints.

"Also, Department of Taxation will be unable to comply with any requests involving federal information because federal law does not allow for redisclosure to any other State agency.

"Moreover, there is already a procedure in place for disclosure of taxpayer information to third parties. Thank you, Mr. Speaker."

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

"Mr. Speaker, I also am going to register a no vote and I'd like to explain why. Mr. Speaker, as I understand this, this is going to give a great deal of information to the Office of the Ombudsman, and this personal information that could then be subject to problems with identity theft, even though it goes to an Office. The more people's personal information is released, the more likely it is you're going to be one of those who is going to be subject to identity theft. Thank you."

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

"Thank you, Mr. Speaker. This is very much like a bill we heard, I think, last year, so I'm going to stay consistent and vote no on this."

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

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

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

"Mr. Speaker, a strong support. Mr. Speaker, this body passed a similar measure last year. It was vetoed by the Governor, unfortunately. This is a pro-taxpayer bill, Mr. Speaker. Taxpayers who feel aggrieved by the Department of Taxation will have the ability to invoke the Office of Ombudsman to assist them in resolving their dispute with the tax office. This is pro-taxpayer rights. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 750, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Meyer and Thielen voting no, and with Representatives Pine and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 85) recommending that H.B. No. 435, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 86) recommending that H.B. No. 352, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 352, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to cast a no vote on this.

"Mr. Speaker, this is really the 'son of the van cam', and for those Members that weren't here before when we had the infamous van cam bill, and then law, on the books, it created a great deal of consternation among the motoring population. In fact, consternation was so great that we repealed that bill.

"This is now kind of a side step to come back in. That's why I call it 'son of van cam'. I don't think it's a good idea and I would encourage the Members to look carefully at this as it moves forward, and then maybe we will have enough of a, I guess, enough Members that will decide to vote against it, and the bill would just die a quiet death. Thank you."

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

"Thank you, Mr. Speaker. I'm rising in favor with some reservations. I think that this bill is not quite the same as the one that we repealed a few years ago. This would have the county run it with the Honolulu police, unlike the other one where we had a private vendor.

"This is early in the game, but there are concerns about people being ticketed for going just a few miles over, rather than the way the police do it now, where somewhere, if you were like eight or ten miles over. So I'm concerned about that, but I'll try to keep an open mind. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm in opposition to this measure. And, although I'm not in favor of speeding, I understand the van cams are a very efficient way to catch speeders. But on the other hand, the quantity of speeders we were catching was unbelievable, and even if they were going only a mile or two above the speed limit, they were getting caught.

"And what's even worse than the speeding ticket, and the penalty was the fact that, no doubt their insurance went up on all the cars that were on the same policy for about three years. And to me this was a frightening prospect. Somehow or another, this program has to be tamed. Thank you very much."

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

"Thank you, Mr. Speaker. I wish to speak I favor of this bill.

"You know, what's a frightening prospect is that the continuing fatalities that we have from speeding throughout the State, especially here on Oahu. I'm very surprised that someone would look at the deterrence of speeding and vote against it. It means that your concern for life and welfare is of minimum importance.

"We have the responsibility, Mr. Speaker, to protect the life and welfare of our citizens and that includes those who are speeding. And if you're caught speeding, and if your insurance goes up, so be it. It's the law and they should not be speeding.

"So, Mr. Speaker, I strongly urge the Members to support this, and I'm hopeful that my colleagues on the Judiciary Committee, the Chair, the Committee members will look favorably at this legislation. Thank you very much, Mr. Speaker."

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

"Mr. Speaker, I stand in strong support of this measure.

"Last week we lost another pedestrian. I think we've lost more pedestrians this year than ever before. More than likely it was due to speeding. And I'm in support of this bill because we're just losing too many people on the road. I was glad to hear the Representative from Laie in support even if it was with reservations, and I would like to have her words included in the Journal as if they were my own. Thank you."

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

"Mr. Speaker, I rise in support of this measure.

"As many know, I had the opportunity of being away for a while. And upon returning, I could not believe the brazen red-light running that I saw. It was really, really obvious.

"Mr. Chair, I know that the gentleman from Maui who spoke, who removed me from the Floor, of which I never thought I would end up saying now, would you put his remarks in the Journal, as if they were my own? I'll swallow hard on this one."

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

"Thank you, Mr. Speaker. Just note my slight reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 352, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Marumoto and Thielen voting no, and with Representatives Pine and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 87) recommending that H.B. No. 356, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 356, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Mr. Speaker this bill would prohibit individuals from leaving children under the age of nine alone in a motor vehicle. Numerous incidents in the last few years have raised awareness of the catastrophic dangers involved when children are left unattended in vehicles. The car could be stolen, the child may put the car in gear, or the child could be kidnapped or sexually assaulted. Especially with the level of drug use in our State, you never know what might occur.

"Even if the time frame is relatively short it is still dangerous. Take for example the following story dated February 16, 2005 from the *Maui News*:

A 2-year-old Lahaina boy who was left alone for a few seconds in a parked pickup truck managed to put the vehicle in gear, causing the truck to move forward and hit a woman and a building, police said.

"He was alone in the truck for maybe five seconds," said Lahaina patrol Sgt. Ricky Uedoi, who was among officers responding to the 12:46 p.m. accident Monday at Anchor Square. "Within a couple of seconds, the boy somehow managed to get the truck in gear."

The red Dodge extended-cab truck had been parked in front of Pay Day Hawaii in the business complex on Papalaua Street when the boy's mother went to an upstairs office to pay a bill, Uedoi said.

He said the boy was in the truck with his father, who took the child out of his car seat in the back after he started crying.

The truck was in the park position with its engine on when the father stepped out to give the mother some money, leaving the boy in the truck, Uedoi said.

He said the father was around the corner, 20 to 25 feet away, when the truck moved forward five to seven feet into the building, hitting an employee from a nearby business who was taking trash to a bin.

The woman was transported by medics to the hospital.

No customers were in Pay Day Hawaii when the truck rolled into the building, damaging a window and the front door, and blocking the door.

Uedoi said the boy would have had to press on the brakes to activate the shifter and get the truck into the drive gear.

"That's the youngest driver I have ever encountered in an accident," Uedoi said.

Considering the short period that the child was left alone in the car, "This is what you would probably truly consider an accident," said police Capt. Charles Hirata, commander of the Lahaina Patrol District.

"It underscores the necessity to watch children in unattended vehicles, especially if you have the motor running," Hirata said. "It also underscores the purpose of keeping them in the car seat.

"You can't leave kids unattended in cars, even for a second. Things happen. It could have been real tragic."

We don't like to think of these possibilities but things happen.

"In addition, this bill would require applicants of drivers' licenses to be tested for knowledge of this issue, as well as require vehicle lessors to display the information via stickers on cars. We are not trying to criminalize bad parenting. Instead we want parents to realize the dangers. There are few events more traumatizing than losing a child. I just do not want to see that happen.

"In every Session since 2002, I have introduced a bill regarding this important issue. In fact, last year, HB 1787, HD 1, SD 1, made it as far as the Floor of the Hawaii State Senate for final passage where it was recommitted. I don't want this important measure to fall by the wayside again. I urge my colleagues to vote yes on this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 88) recommending that H.B. No. 657, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 89) recommending that H.B. No. 895, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 895, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 90) recommending that H.B. No. 416, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 416, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 416, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Pine and Souki being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 91) recommending that H.B. No. 1530, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1530, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 92) recommending that H.B. No. 7, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 7, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In support with some reservations.

"The only reservations that I have in regards to wanting to save money on this bill is that the State of Hawaii would be, if this is true, the State of Hawaii would be prohibited from utilizing federal Medicaid matching funds to purchase prescription drugs from this program because some of the drugs will be purchased from Canada and Europe. That would be my reservation. Thank you."

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

"Thank you, Mr. Speaker. In support of the measure. For the edification of the previous speaker, this does not impact Medicare or Medicaid. This is a program that has been implemented by the State of Illinois. And in the last year, State of Illinois estimates that it has saved upwards of over $100 million for its workers and retirees. That's why I think this is something we should pursue. Again, it's voluntary. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 7, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 93) recommending that H.B. No. 12, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 12, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 94) recommending that H.B. No. 1047, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 95) recommending that H.B. No. 1474, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1474, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I wish to be excused on this particular measure. Mr. Speaker, I own a company that brokers life and health insurance."

The Chair responded, stating:

"No conflict at this point. Is it going to be a monetary gain for you or your company? If it's your company, it's not a monetary gain on a personal note."

Representative Takai: "No, Mr. Speaker."

At 12:24 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

The Chair then ruled:

"The Chair at this time will rule that the Representative from Pearl City has no conflict because it deals with a class of brokers in regards to healthcare premiums that are being sold."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 96) recommending that H.B. No. 1699, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1699, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 97) recommending that H.B. No. 653, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Pine and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 98) recommending that H.B. No. 704, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 704, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," passed Second Reading and was referred to the Committee on Agriculture with Representatives Pine and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 99) recommending that H.B. No. 1577, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1577, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED COFFEE," passed Second Reading and was referred to the Committee on Agriculture with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 100) recommending that H.B. No. 317, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 317, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 101) recommending that H.B. No. 1057, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1057, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you. Mr. Speaker, I'm rising with reservations on Stand. Com. No. 101 and its accompanying bill.

"And, Mr. Speaker, I strongly support the fact that Hawaii is now a smoke-free State. The concern I have on this, this bill makes it unlawful for a person under 18 to possess tobacco. The concern I have is that this bill places the blame on minors. It's a Big Tobacco tactic to get out of their responsibility. In other words, Big Tobacco wants to say that the minor is responsible, rather than Big Tobacco for targeting minors to get them to smoke. So, that's my concern on this. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1057, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 102) recommending that H.B. No. 963, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 963, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 103) recommending that H.B. No. 1058, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1058, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1058, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 104) recommending that H.B. No. 1432, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1432, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker, I will be voting no on this measure. I think we all would like to see a statewide, high-speed wireless network, but I don't know whether we should go for a state-owned, state-run system because there's several private providers that can help us now. But apparently the authors of the bill thought that segments of the population would forever lag behind other parts of the population unless the State provided it for them.

"This calls for a State taskforce to study this type of network and it will be established in the Office of the Auditor. It's very heavily populated by nominees from the House and the Senate, generously giving the Governor one appointee. After the taskforce presents this report, it calls for the Auditor to prepare a statewide access plan for the development of a state-owned, high-speed wireless internet broadband system.

"I think we should call for a study of this system before mandating a plan, the drawing up of the plan. And incidentally, we ask whether it would be feasible if the State should partner with private sector internet service providers to provide part of the wireless system.

"I think this is too much State taking over private businesses. So I would strongly request that people in the next Committee, the

subsequent Committees to look at this carefully. Thank you very much."

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

"Thank you, Mr. Speaker. I'm rising with some strong reservations and would ask that the words of the previous speaker be inserted in the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1432, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE WIRELESS ACCESS," passed Second Reading and was referred to the Committee on Legislative Management with Representative Marumoto voting no, and with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 105) recommending that H.B. No. 318, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Pine and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 106) recommending that H.B. No. 687, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 687, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"I must have gotten up on the negative side of the bed this morning, Mr. Speaker. Another no vote on this particular measure.

"This would set up a separate type of corporation called the 'responsible corporation' and I contend that many of our existing corporations are responsible and very interested in the welfare of our population and the environment of our society.

"The corporations run the gamut from the big mainland corporations to little 'mom and pop' stores, and I don't think we need a new structure to increase responsibility.

"If the introducers are interested in more conscience on the part of our businesses, they certainly could run an educational campaign, but I think this bill is a very heavy-handed way to make this happen. I urge all others to vote no. Thank you."

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

"Mr. Speaker, I rise with strong reservations, and I ask that the words of my colleague from Kahala be entered as my own, as well.

"I completely support the idea of encouraging corporations to become more responsible citizens and to acknowledge that it's actually good business. 'You do well by doing good,' to quote, and I think, Steve Case … you do well by doing good.

"However, I note the opposition from the Chamber of Commerce here and I think that the business community here has expressed that there are some good Samaritans and I agree with the Representative of Kahala that teaching is sometimes better. Sometimes a carrot works better than a stick. And the only concern I have is that we're meddling further into business and sometimes, like in the eco-system, a certain amount of meddling actually gets a reverse consequence. Thank you."

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

Mr. Wakai rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise to register a vote with reservation. I just wanted to say that I don't know if it's really government's role to mandate good business practices. I think that if the business chooses to go about just purely for profit, that they suffer the consequences of doing so. So I'd like to just register a vote with reservations."

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

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

"Mr. Speaker, I rise in support. Very briefly, I think that this is actually an innovative idea and we should actually take a look at it more seriously.

"Currently under the law, there are only two ways in which a corporation can register. Either you're for profit or nonprofit, one or the other. But I think what this is asking is whether we should be looking at other alternatives so that people that are doing things in the public interest, perhaps, while not declaring a nonprofit status, and all of the restrictions and regulations that go along with it, if they are going to be providing the public benefit, perhaps, the regulation should be slightly lessened so that we can actually recognize what they are doing for our overall community.

"I support this because I think it's innovative and something we should think about. It's not committing us at any specific direction, but something we should just start considering as we move forward in tomorrow's day and age. Thank you."

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

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

"Mr. Speaker, I rise in strong support of this measure. This is merely a taskforce, Mr. Speaker. It doesn't mandate any requirements upon existing corporations. In fact, this is like the Majority Floor Leader stated earlier. It's another innovative approach to diversify our economy, and I believe we should support this measure as it moves forward. I ask that the words of the Majority Floor Leader be incorporated into the Journal as my very own," and the Chair, "so ordered." (By reference only.)

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

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

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

"Thank you, Mr. Speaker. I rise with strong reservations. The academic that I am, who loves to work on taskforces and with people, I think that our money is better invested in moving us towards self-sufficiency and that vision that we have been talking about, so I rise with strong reservations."

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

"Thank you very much, Mr. Speaker. In support. This measure, I think, is a good measure, as far as looking forward with the changing world we live in with innovation, with technology, and all kinds of things, how corporations are evolving.

"Mr. Speaker, I think what we need to do is let this measure move forward and have that discussion so that when we regulate, like the words of the Majority Floor Leader, when we regulate, we have a clear idea of what a corporation is doing for our community and how we can further make sure that we don't overburden them and have things in there that will also support their growth. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Belatti, Finnegan, Marumoto and Meyer voting no, and with Representatives Pine and Souki being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 107) recommending that H.B. No. 875, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Health for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 875, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was adopted, passed, and recommitted to the Committee on Health for further consideration with Representatives Pine and Souki being excused.

ANNOUNCEMENTS

Representative Brower: "Mr. Speaker, your Committee on Agriculture and your Committee on Energy and Environmental Protection will be reconvening their 11:00 a.m. decision making meeting at 1:00 p.m. today in Room 325."

Representative Bertram announced that the Committee on Higher Education and the Committee on Labor and Public Employment will be conducting a public hearing today at 2:00 p.m. in Conference Room 309.

Representative B. Oshiro announced that the Committee on Judiciary will be conducting a public hearing today at 2:00 p.m. in Conference Room 325.

Representative Green: "Thank you, Mr. Speaker. I believe it was omitted from the Order of the Day accidentally, perhaps through miscommunication from my office. But your Committee on Health will be hearing HB No. 675 Relating to Death with Dignity on Wednesday evening at 5:00 p.m. Thank you, Mr. Speaker."

At 12:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:42 o'clock p.m.

Representative Green: "Thank you, Mr. Speaker. Clarification, but it was my mistake. Because it's being heard at 5:00 p.m. tomorrow, I understand it will appear on tomorrow's Order of the Day. And we did have 48 hours notice. Thank you, Mr. Speaker."

Representative Chong, for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement to hear 2 bills for decision making on Wednesday, February 7 at 9:30 a.m. in Conference Room 312.

Representative Chong: "It's HB 507 Relating to Boating, and HB 1905," and the Chair "so ordered."

Representative Tokioka announced that the Committee on International Affairs will be conducing a public hearing tomorrow at 8:00 a.m. in Conference Room 329; followed by a joint public hearing the Committee on Economic Development and Business Concerns at 8:15 a.m. in Conference Room 329, with decision making to follow.

Representative Manahan announced that the Committee on Tourism and Culture will be conducting a joint public hearing with the Committee on Water, Land, Ocean Resources and Hawaiian Affairs tomorrow at 8:30 a.m.; followed by a joint public hearing with the Committee on Economic Development and Business Concerns at 9:00 a.m. in Conference Room 325, with decision making to follow.

Representative Manahan also announced that the Committee on Tourism and Culture will be conducting a public hearing tomorrow at 9:30 a.m. in Conference Room 325 with decision making to follow.

At 12:44 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

Representative Nishimoto announced that the Committee on Transportation will be conducting an informational briefing tomorrow at 8:30 a.m. in Conference Room 309; followed by a public hearing tomorrow at 9:30 a.m. in Conference Room 309."

ADJOURNMENT

At 12:46 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 7, 2007. (Representatives Chang, Pine, Saiki and Souki were excused.)

FOURTEENTH DAY

Wednesday, February 7, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all members present with the exception of Representatives Cabanilla and Carroll, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 252) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 252, dated December 21, 2006, transmitting the report pursuant to Act 44, Session Laws of Hawaii 2004 requiring a report on activities related to coordinated drug abatement efforts and pursuant to Chapter 329-11, Hawaii Revised Statutes requiring an annual report on changes to schedules for controlled substances.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 47) was received by the Clerk and was placed on file:

Dept. Com. No. 47, dated February 6, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Audit of the Child Support Enforcement Agency.

INTRODUCTIONS

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

Representative Takamine introduced the Honokaa Dragons Girls Soccer Team accompanied by chaperones, Ms. Rebecca Townsend, Ms. Lisa Erck, Ms. Marcie Greenwell and Ms. Ginger Bertelmann.

Representative Chang introduced from TMA Wind To Energy Company, Mr. Ron Taylor, CEO; Mr. Duane Rasmussen, President; Mr. Raymond King, TMA Japan; and Mr. Randy Avon, their investment banker. They were accompanied by Representative Chang's friend, Mr. Dick Kim.

Representative Bertram introduced Ms. Jan Dapitan from Maui.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. No.	Referred to:
21	Committee on Public Safety & Military Affairs

H.C.R. Nos.	Referred to:
36	Committee on International Affairs
37	Committee on Public Safety & Military Affairs

The following bill was referred to committee by the Speaker:

S.B. No.	Referred to:
6	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
7	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
12, HD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
231	Committee on Health, then to the Committee on Finance
875, HD1	Committee on Health, then to the Committee on Finance
1391	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection
1457	Jointly to the Committee on Human Services & Housing and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 1529, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1529, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise to speak in favor of Stand. Com. Rep. No. 108. This would provide funds for scholarships to honor the late U.S. Senator Hiram L. Fong and Senator Oren Long, and I urge everyone's support. But I rise just to mention that this body had passed a bill to form a Commission in honor of Senator Fong and this scholarship is one of the recommendations of that Commission.

"Also, the Kalihi/Palama Post Office was renamed the Hiram L. Fong Post Office, thanks very much to our Congressional Delegation. And thanks to the Board of Education, McKinley High School has named a business building in honor of the late Senator. And the Kidney Foundation honored Senator Fong, thanks to the President last year, Sig Kagawa.

"So, we give credit to this bill and the Commission Chair, former Representative Sam Lee, husband of the present Representative Marilyn Lee, and I urge your support for this great man who was once Speaker of this House. Thank you."

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

"Thank you, Mr. Speaker. I rise also in strong support of this measure that would honor my former constituent, Senator Hiram Fong. A gentleman who was raised in Kalihi and strove for the highest and achieved it. And as a former educator, I cannot stress enough the importance of having the memory of people such as these to inspire our children to know that they, too, can aspire to do anything and accomplish it. Thank you."

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

"Thank you, Mr. Speaker. I will be supporting this measure, but just ask that people, as they vote for this, to understand the complete history of the Senator, and not just the 'good leader' parts. Thank you."

Representative Lee rose, stating:

"Mr. Speaker, I just would like to ask that it be known that my husband was a member of the Fong Commission, and if there is any conflict, that you would let me know."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representatives Chang and Tsuji, for the Committee on Higher Education and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 109) recommending that H.B. No. 935, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 935, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 1536, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1536, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 1762, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1762, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 101, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMEOWNERSHIP," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 472, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 472, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 926, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY LAND TRUSTS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No. 1356, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Second Reading and was referred to the Committee on Higher Education.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 1244, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1244, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD SUPPORT ENFORCEMENT AGENCY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 486, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 486, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 1844, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1844, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 99, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 99, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 1025, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1025, HD 1, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE INTERNATIONAL ASSOCIATION OF LIONS CLUB TO CONSTRUCT A CAMP FACILITY FOR YOUTH ON OAHU," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 569, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 570, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 991, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 991, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 571, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 189, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIP FEES," passed Second Reading and was referred jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 706, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 706, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 127) recommending that H.B. No. 1538, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representatives Yamashita and Cabanilla, for the Committee on Economic Development & Business Concerns and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 128) recommending that H.B. No. 32, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 32, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Labor & Public Employment.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 129) recommending that H.B. No. 1326, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 130) recommending that H.B. No.

414, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 414, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 131) recommending that H.B. No. 15, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 15, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representatives Takumi and Shimabukuro, for the Committee on Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 599, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representatives Takumi and Shimabukuro, for the Committee on Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 955, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 955, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 639, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 1503, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1503, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 1280, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 1561, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1561, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Stand. Com. Rep. No. 137 is dealing with HB 1561, Relating to Labor, cross-check requirements by labor representation. I'm rising in support with some very strong reservations at this point.

"I feel this bill would in effect give the labor unions two abusive means of coercion. One, it would force employers against their will to participate in these cross-check arrangements simply because the State has a certain degree of involvement in their business.

"Two, it would force employees against their will to be confronted and intimidated by union representatives trying to form a union.

"This bill would allow the State to unabashedly side with labor unions against employers and employees further unbalancing the ability of labor and management to come to fair, impartial and uncoerced agreements. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1561, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance.

Representatives Sonson and Shimabukuro, for the Committee on Labor & Public Employment and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 833, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 590, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 590, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 220,

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

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 220, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 965, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 965, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 378, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 378, entitled: "A BILL FOR AN ACT RELATING TO NURSING EDUCATION," passed Second Reading and was referred to the Committee on Higher Education.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 229, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE," passed Second Reading and was referred to the Committee on Higher Education.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 1862, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1862, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Transportation.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 673, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 673, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"In opposition. They've been trying to do this for years and we've been trying to protect the University from the Regents. A few years ago the Regents came up with an absolutely most ridiculous procurement policy I've ever seen in my life, and as long as we can't protect the University from ideas like these that come from the Regents, I have to vote no."

Representative Ward rose, stating:

"Some of us over here on the left didn't hear that. What he said."

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

"I'm sorry, Mr. Speaker. I couldn't hear the Representative from the Big Island, as well. I would like to register a vote with reservations."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 673, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representative Herkes voting no.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 1433, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1433, entitled: "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 1398, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1398, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 1405, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1405, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES.," passed Second Reading and was referred to the Committee on Judiciary.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Finance.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 692, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Agriculture for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was adopted, passed, and recommitted to the Committee on Agriculture for further consideration.

The Chair then addressed Representative Bertram, stating:

"Representative Bertram, what is the motion before this body at this time?"

Representative Bertram responded, stating:

"To adopt the Standing Committee Reports."

Speaker Say: "Yes, you are correct, but what else? It is to recommit to the Committee on Agriculture. Thank you."

At 12:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

ANNOUNCEMENTS

Representative McKelvey announced that the Committee on Consumer Protection and Commerce would be conducting a public hearing on HB No. 1006, proposed HD1 today at 2:00 p.m.; followed a public hearing on other measures, today at 2:15 p.m. in Conference Room 325, with decision making to follow.

Representative Lee announced that the Committee on Finance would be conducting public hearings on five agendas, today starting at 2:00 p.m. in Conference Room 308 with decision making to follow.

Representative Mizuno announced that the Committee on Health would be conducting a public hearing on H.B. No. 675, Relating to Death with Dignity today at 5:00 p.m. in the Capitol Auditorium.

Representative Mizuno, for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear the following bills on Friday, February 9th:

Jointly with the Committee on Consumer Protection and Commerce
HB No. 1067

Jointly with the Committee on Human Services and Housing
HB No. 1475
HB No. 1469
HB No. 962
HB No. 827
HB No. 824
HB No. 71
HB No. 807
HB No. 817
HB No. 1830

Committee on Health only
HB No. 232
HB No. 1120
HB No. 1448
HB No. 1465
HB No. 1467
HB No. 1697
HB No. 582
HB No. 204
HB No. 1721

Representative Finnegan: "Thank you, Mr. Speaker. I just wanted to make sure that everybody knows that the courtesy of reviewing that particular agenda and the details of the bills was already extended to us."

Speaker Say: "Thank you. In the mechanics of getting legislation through, thank you very much for your support for the Chair and Vice Chair of the Committee on Health."

Representative Carroll announced that the Committee on Energy and Environmental Protection would be conducting public hearings tomorrow, February 8, at 8:30 a.m., 10:00 a.m., and 10:30 a.m. in Conference Room 312.

Representative Rhoads announced that the Committee on Human Services and Housing would be conducting a joint public hearing with the Committee on Water, Land, Ocean Resources and Hawaiian Affairs tomorrow at 8:30 in Room 329; followed by a second agenda for the Committee on Human Services and Housing; and then a third agenda jointly with the Committee on Health, with decision making to follow.

Representative Manahan announced that the Committee on Tourism and Culture and the Committee on Public Safety and Military Affairs will be conducting a public hearing tomorrow, February 8, at 8:30 a.m. in Conference Room 309, with decision making to follow.

Representative Har announced that the Committee on Public Safety and Military Affairs and the Committee on Transportation will be conducting a public hearing to hear HB No. 1092, tomorrow, February 8 at 8:35 a.m. in Conference Room 309; followed by a public hearing for the Committee on Public Safety and Military Affairs at 8:45 a.m. in Room 309, with, decision making to follow.

Representative Wakai announced that the Committee on Economic Development and Business Concerns would be conducting a public hearing tomorrow, February 8 at 8:50 a.m. in Conference Room 325.

Representative Chong: "Thank you, Mr. Speaker. Your Committee on Water, Land, Ocean Resources and Hawaiian Affairs will be continuing its 9:00 a.m. agenda, in Conference Room 312 after session, followed by its 9:30 decision making agenda."

Representative Cabanilla: "Mr. Speaker, I have an apology to make for my colleagues here in this House. On Tuesday, an article appeared in the press concerning my introduction of a bill that would have affected nursing homes.

"There has been considerable concern expressed over the introduction of that bill. I now recognize that this action raises the perception of a conflict. I sincerely apologize for introducing that bill that generated the appearance of a conflict. I also apologize that this measure could have negatively affected the reputation of this body in the eyes of the public. I pledge that I will act at all times in a manner that promotes public confidence and the integrity of the House. Thank you, Mr. Speaker."

Speaker Say: "Thank you. On behalf of the House and this institution, we accept your apology. On behalf of all the Members."

Representative Caldwell: "Mr. Speaker, I just want to remind the various Chairs and anyone else in this body, that the deadline for triple referral bills is tomorrow, February 8th. That's Thursday, 6:00 p.m. The bills have to be referred to the Clerk's Office. Thank you for everyone's cooperation."

ADJOURNMENT

At 12:35 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 8, 2007. (Representative Takamine was excused.)

FIFTEENTH DAY

Thursday, February 8, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Kahuna Nui Momi Mo'okini Lum, after which the Roll was called showing all members present with the exception of Representatives Bertram, M. Oshiro, Shimabukuro, Souki and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Eighth, Ninth, Tenth and Eleventh Days were approved. (Representatives McKelvey, M. Oshiro, Shimabukuro, Souki and Takamine were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 253 through 257) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 253, dated January 26, 2007, transmitting the report on the adequacy of federal funding for the No Child Left Behind Act.

Gov. Msg. No. 254, dated January 27, 2007, transmitting the report pursuant to Section 354D-3.5, Hawaii Revised Statute, requiring the Department of Public Safety's Correctional Industries to submit an annual report.

Gov. Msg. No. 255, dated January 30, 2007, transmitting the Report Pursuant to Section 334-15, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report on the Mental Health and Substance Abuse Special Fund.

Gov. Msg. No. 256, dated January 24, 2007, transmitting the Hawaii's Sister State/Cities Program Report prepared by the Department of Business, Economic Development, & Tourism.

Gov. Msg. No. 257, dated February 7, 2007, transmitting the Report Pursuant to House Concurrent Resolution No. 88, Senate Draft 1, of the 2006 Legislative Session, Requesting the Director of Health to Develop a Trauma System Plan for Hawaii.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 6) was received and announced by the Clerk:

Sen. Com. No. 6, transmitting S.B. No. 139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," which passed Third Reading in the Senate on February 7, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Carroll, M. Oshiro, Shimabukuro, Souki and Takamine were excused.)

S.B. No. 139, SD 1

INTRODUCTIONS

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

Representative Pine introduced the members of the James Campbell High School Student Association: Jester Galiza, Brittany Marini, Johannah Mindo, Fusia Afuola, Waianae Kahananui, Marilu Barbara, Nicolle Siva, Jordan Furukawa, Joilynn Hollies, Kimberly Dela Cruz, Justin Romero, Ariella Toloza, Trankie Hagos, Courtney Enriquez, Evelyn Obamas; and advisor, Ms. Sara Ann Kimura.

Representative Pine also introduced her legislative intern, Mr. Robert Thompson with the United States Marine Corps who recently returned from Iraq. He was accompanied by her legislative aide, Ms. Anne Atkinson; legislative analyst, Ms. Lisa Shorba; and office manager Mr. John Gollner.

Representative Takai, on behalf of Representatives Takumi, Yamane, Sonson, B. Oshiro, Karamatsu and himself, introduced members of the Pearl City High School Student Council: Michelle Brown, Stayson Isobe, Zoe Ann Kaneshiro, Wainani Paikai, Kirstie Saito, Daniel Tanigawa, Jaymian Urashima, Christina Uyeno, Katherine Wallace; and advisor, Mrs. Mike Ishihara.

Representative Cabanilla, on behalf of Representatives Sonson, Karamatsu and herself, introduced members of the Waipahu High School Student Council: Angelie Angeles, Mark Custodio, Sean Cozo, Leighton Pohano, Bradley Fernandez, Mark Gano, and Natalie Millon.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
367	Committee on Health, then to the Committee on Finance
692, HD1	Committee on Agriculture, then to the Committee on Finance
1289	Committee on Energy & Environmental Protection, then to the Committee on Finance
1295	Committee on Finance
1296	Committee on Finance
1297	Committee on Finance
1298	Committee on Finance
1299	Committee on Finance
1300	Committee on Finance
1301	Committee on Finance
1302	Committee on Finance
1303	Committee on Finance
1304	Committee on Finance
1305	Committee on Finance
1563	Committee on Finance
1564	Committee on Finance

1565 Committee on Finance

1566 Committee on Finance

1567 Committee on Finance

1568 Committee on Finance

1569 Committee on Finance

1570 Committee on Finance

1571 Committee on Finance

1572 Committee on Finance

1573 Committee on Finance

STANDING COMMITTEE REPORTS

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 897, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 897, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 152) recommending that H.B. No. 36, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 36, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 153) recommending that H.B. No. 379, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 154) recommending that H.B. No. 1177, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1177, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY ANTI-DRUG FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 155) recommending that H.B. No. 1734, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1734, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 156) recommending that H.B. No. 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Second Reading and was referred to the Committee on Judiciary.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 1403, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1403, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 1811, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1811, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A NURSING PROGRAM AT THE UNIVERSITY OF HAWAII'S LEEWARD COMMUNITY COLLEGE," passed Second Reading and was referred to the Committee on Health.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 1757, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1757, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1757, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 1718, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.B. No. 1718, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISELINE INDUSTRY," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 519, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 519, entitled: "A BILL FOR AN ACT RELATING TO THE STATE DEFERRED COMPENSATION PLAN," passed Second Reading and was referred to the Committee on Finance.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 751, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 751, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 760, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns.

At 12:15 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 164) recommending that H.B. No. 853, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 620, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 620, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 236, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 236, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 1906, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 105, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 105, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 531, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 531, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Education.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 314, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 314, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Legislative Management.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 1270, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1270, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 172) recommending that H.B. No. 33, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 33, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"I have reservations on Stand. Com. Rep. No. 172. One of the testifiers mentioned that the affect on nonprofits would be unknown if we have to pay a living wage to all workers. So that very simply was my reservation. Thank you."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 33, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW," passed Second Reading and was referred to the Committee on Labor & Public Employment.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 173) recommending that H.B. No. 1670, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Education and the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1670, HD 1, pass Second Reading and be referred jointly to the Committee on Education and the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I am going to be voting no on HB 1670. It has some very good features to set up an Ingenuity Charter, supposedly to help high tech and biotech, and inventors and education for high tech. I don't want to take away any of those features.

"Also, labor plays a strong part in this particular Ingenuity Charter Corporation, however, there's some drawbacks to it. This bill did pass the Legislature last year and the Governor vetoed the measure at the time, and I think we should point out as this passes Second Reading, some of the drawbacks and why the bill was vetoed.

"It would set up a private for-profit organization and it wouldn't have any attachment or oversight from a government department. The appropriation would go directly to this Charter, which is highly unusual, if not, illegal. And the arrangement could result in a challenge under the Equal Protection Clause of the Constitution since this entity would not be required to comply with the incorporation laws that other corporations are required to follow before being authorized to do business in the State.

"It also creates confusion as to whether this Corporation is covered by Chapter 91 and Chapter 92 of HRS covering rulemaking, and Sunshine laws. It would be difficult in making changes to the Corporation's Charter because it would require the passage of a legislative Act, and rescission of this Charter would require a two-thirds vote of both Houses. It is inappropriate and outside the scope of law to give a for-profit corporation ability to declare that exercising the power to collectively bargain on behalf of inventors and labor organizations is an exception to all State, anti-trust and federal anti-competitive practice, rules and statutes.

"The veto message also pointed out that the bill may actually hurt the very entity it is intended to help, which is the inventor. Inventors would have no direct representation on the board.

"There are further limits on inventors' return on investment and only allows the inventors to sue the corporation after going through an elaborate and unnecessary grievance process structured to the benefit of the corporation and not the inventor.

"The legislation fails to increase an inventor's ability to compete in a global marketplace and protect his patents beyond what is already available through federal statutes.

"Finally, the Department of Taxation had a question regarding the tax free provision of the measure. On page 17 of the bill, it says, income of the company and the company's distributions to members shall not be subject to State tax.' And so, the Tax Department said that the bill should be amended to clarify that the income of the company shall not be subject to State income tax at the company level. If the company is to be exempt from all State taxes, such as GET, then Section 15 should be amended to so provide. Because of this and many other objections, I feel compelled to vote no. Thank you, very much."

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

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

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. Just a few points of clarification.

"First of all, inventors are extremely well represented in this Charter. In fact, I think most inventors, if you look at the testimony as expressed through the Inventors Alliance and the National Hall of Inventors for our country have supported this measure only because they themselves, as inventors, know that through this Charter they might gain additional protection, notwithstanding our current federal patent laws. So, that's one point that needs to be clarified.

"The second point that was made is regarding exemption from any taxation. That's not true. The language of the company reads that as a pass-through entity, the income of the company shall not be subject to State income tax at the company level. And there's a reason for that because taxes as applied to any limited liability company under Hawaii law is assessed to the partners and shareholders of the company.

"The third point that needs to be pointed out, Mr. Speaker, is that we hear a lot of talk about ingenuity, and lot of talk about innovation. Well, the cruel reality is that despite all of the inventions that may come out of the labs and the classrooms and the garages, most of these inventions are taken over by corporate ownership and because they become part of the corporate global mainstream, many of these fine ideas and products seldom find their place to the marketplace for the benefit of the inventors, community at large and for those

consumers who might benefit from these new ideas, technologies or tools.

"This Charter, Mr. Speaker, would allow protection of the inventor's ingenuity, bringing better products to the marketplace, and enable America's inventors to compete on the global marketplace by using their ingenuity, coupled with American investment power and, of course, working with the various trade unions both within our country and throughout the world, so that no matter where the product or ingenuity or technique is brought throughout the world, one would have influences upon its use, and how it is produced through our trade unions. So, Mr. Speaker, there are a couple more hearings in the process before this bill gets out. Should the Members have any questions, I make myself available to them. And I appreciate their support at this time. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," passed Second Reading and was referred jointly to the Committee on Education and the Committee on Labor & Public Employment with Representative Marumoto voting no.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 70, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 70, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to this measure to the extent that it would impact residents of the Leeward Coast and to the extent that it support toll roads.

"Mr. Speaker, over 20 years ago, the State of Hawaii and the City and County of Honolulu decided that Kapolei would be the Second City.

"Subsequently, the developers did their part in building houses and communities to help bring to fruition the vision of the Second City. And in turn, Mr. Speaker, the residents of the Leeward Coast then moved out and bought those homes on the Leeward side to help alleviate the congestion in Honolulu and helped also bring to fruition the idea of the Second City.

"I am opposed to this measure, Mr. Speaker, to the extent that now this bill will support toll roads, and I have problems with the fact that the residents of the Leeward Coast will now be penalized essentially for doing their part.

"When we moved out to the Second City, we did out part. The developers did their part in bringing to fruition the Second City. Unfortunately, government was unable to do its part in building the infrastructure. As a result, the residents of the Leeward Coast should not be penalized in having to pay a toll to get into the city of Honolulu.

"Moreover, Mr. Speaker, if you look at the socio-economic demographics of the residents of the Leeward side versus East Honolulu, Honolulu, or the Windward side, I would contend this toll could arguably be considered discriminatory.

"As a result Mr. Speaker, I rise in opposition. Thank you."

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

"Mr. Speaker, I rise in strong support of this matter. I agree with the Representative from Kapolei that the people on the Leeward side should not be penalized.

"I'm looking at it from a realistic point of view. We are in a transportation crisis. Federal funds are very limited. We only get $150 million a year. That's not enough to even build roads on one island. If I am to use federal funds to build another access route to Ewa Beach, that would mean the whole entire State would not get their share.

"This measure of tolls, Mr. Speaker, is now used by 17 other states, and it means that residents of the Leeward community, including Kapolei will have another route to solve this transportation crisis and traffic gridlock we face every day by infusing private funds. Nothing is free in this world, Mr. Speaker. We pay for it one way or the other. This consortium or consortia that would come in and build our roads would have to collect money from us. That is true. But at such a time when the mortgage is paid, we will then have the roads.

"If we are to wait for federal funds to build this access route, the people on the Leeward side will be waiting for 30 years, just like the H-3.

"The number one quality of life issue on the Leeward side, especially Ewa Beach, Mr. Speaker, is traffic. You can ask anybody that comes to work to town how early they have to wake up. This toll road is not enforced on everybody. You still can use the regular roads if you so desire and do not want to pay the tolls.

"But one thing nice about it is that it's insurance that if you have to be at the airport at a time, you can pay $2 and be there in ten minutes. It's insurance, a gridlock insurance that people can exercise. It's a choice, Mr. Speaker. We are not shoving this down everybody's throat on the Leeward side. It's a choice. It's another alternative.

"If you do not want to wake up at 4:30 in the morning, like I do to get to the Capitol at 7:00, then I choose to pay $2 and get here. Furthermore, Mr. Speaker, how much do the people who work in town get paid every hour? Minimum wage is $8. If you're going to be on the road for two hours, the $2, isn't that worth to get on it for $2 and sleep two hours more?

"And I don't want to increase taxes for the rest of the State if we are to use State and federal dollars to build this alternate route. Because if you do that, then all the islands would have to pay for it and not benefit from it. If you put a toll road, it's used by choice and it's paid for by the people on the Leeward side.

"I disagree with that and my heart cries for the people in Ewa Beach for paying the toll road, but it's the value, the quality of life that they have. This is an alternative that they can exercise. Thank you, Mr. Speaker."

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

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

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

"I rise in strong support. When I read the bill, I read it differently from my previous colleague from Kapolei and that is, the way the bill was written it applies to existing roads. It also will apply under the definition of eligible facility. It addresses transport, be it highways, boats, vessels, inter-mobile or multi-mobile systems.

"What I see is this brings us into the future. It's about the State of Hawaii. It's about transporting people. It's about the State Department of Transportation and how they are going to address these issues. And one of the ways is to give them the opportunity to enter into public/private partnerships, and to talk about how we're going to move people between the islands and on the island. This is not specific to Oahu and one side of Oahu. This is about the whole State. This is about even taking Queen Kaahumanu Highway, which is being upgraded from a two-lane to a four-lane highway, an existing highway and saying we've got to put a toll on it. We've reached a point of putting a toll. Eventually, existing highways may have to have tolls on them.

"The plan is that we have to give the Department of Transportation the opportunity to have potentially a creative funding mechanism, and that's what I see this as. And this is just an option for the Department of Transportation to address it. The public has to realize that it costs so much money to develop transportation systems in Hawaii and we eventually may have to do this public/private partnership to achieve it. Thank you."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I stand with reservations on this bill, which proposes to make toll roads of some existing roads and to make use of public/private partnerships to create new toll roads (mainly elevated in nature).

"Our constituents have paid over and over for the existing roads, which are still inadequately maintained. The environmental impact of elevated toll roads is unacceptable and in the long run would only bring more cars into the downtown area faster.

"We need to talk about disincentives to driving, increasing public transportation options and staggered hours before we create more traffic."

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

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

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

"Mr. Speaker, I'm in strong support of this and would ask that I be able to insert some remarks in the Journal," and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I support HB70 HD1, which allows the State to enter into agreements with private developers to build, operate, own, or finance transportation facilities such as toll highways. This approach has several advantages over the current method of building highways via tax assessments.

"The bill would allow the State to alleviate traffic congestion at little or no cost to the taxpayers by financing highways via tolls paid by the users, thus allowing more highways to be built than under the current tax-financed system.

"No residents of our State would be harmed by such a toll highway, since no one would be forced to pay for a road they don't use, unlike the current method of levying taxes upon people who wouldn't use the highway.

"The users of the highway would all benefit – if anyone felt the price was too high, they would be free to use the existing tax-subsidized highways."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 70, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Takai voting no.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 175) recommending that H.B. No. 564, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 564, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I stand in strong support of HB 564, Relating to Education. This measure gives teachers the choice of where and how they spend their allotted funds for classroom supplies.

"Our responsibility as the State of Hawaii is to prepare each child to succeed in today's society and work force. Being technologically proficient, and being innovative are important in achieving this goal. This measure, a debit card program for public school teachers, will enhance education for the following reasons.

"One, creative curriculum. Every child is unique and has different learning skills, different needs. One size doesn't fit all. Debit cards liberate the teacher to be free in their way of reaching every child. Elements of innovation are a must in the classroom.

"Second, flexibility. Debit cards give teachers the freedom to go to different providers of supplies, rather than the restricted options of vendors appearing on the supply list. Teachers come across situations in which sometimes there are limited tools and there are better opportunities of curriculum that will reach the child and not all educational events can be foreseen. So, it allows for flexibility.

"Three, enhanced transparency. Debit cards provide a current way, a way where principals, administrators and taxpayers can easily, immediately track and insure what is being spent.

"Four, and perhaps most importantly, debit cards encourage a relationship between businesses in the school's community and the school.

"As members of an island state, we know how relationships help us to succeed, and help us to contribute to the success of us as a whole. When we reach out to 'mom and pop' stores within a community, they are more inclined to support the school and get involved in the school.

"Community relationships will strengthen with the debit card program, as well as boost morale and serve as an appealing recruitment tool for teachers.

"If I may, Mr. Speaker, I'd just to quote the Hawaii State Teachers Association and enter it into the Journal. 'This would be a positive step toward helping teachers, helping students. Input from teachers indicate that they spend approximately $800 each in supplementing their classrooms with supplies to enhance teaching a year.' Thank you."

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

"Thank you, Mr. Speaker. I'm in strong support. Just short comments, Mr. Speaker. I think some of the rules right now with regard to what you can purchase out of the teacher's money is that you can't purchase food, and I can understand why those rules may be in place.

"But this bill is about having the flexibility to best reach and provide for the students' learning, and one of the things that my child's teacher did for me was set up a visit at our home she called it 'cookies and milk.' She came to our home, took a look at our house, and sat down and talked story with my child and parents. I thought that was so creative, and I thought that was so awesome that she would take the time to do that.

"This would allow for teachers to possibly buy cookies and milk, and then they would have to be accountable for how they spent the money. Did it help them in their communication with that child? Or did it help in establishing a relationship with that child or their parents? And what I like about this bill is it gives the teachers flexibility, but also encourages them to basically take on the accountability and say, use this for a specific purpose and hold me accountable for it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 564, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 671, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 671, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 1527, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE PREPARATORY PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 1582, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1582, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AVIATION MUSEUM AT PEARL HARBOR," passed Second Reading and was referred to the Committee on Finance.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 1719, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 1603, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1603, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with slight reservations about this bill because I believe it's a homerule. Essentially, what we're doing is telling the counties to round up their illegals. That is, their 'bed and breakfast' illegals, and I think we know from our own membership, the fine individuals who come from the county councils, particularly Kauai comes to mind, that they are more than capable of doing this. What I would suggest is probably a more palliative remedy, is a resolution, encouraging the counties rather than saying, 'You will have a vigilante group and you'll have your counties round up these illegals.' So it's something a little bit more positive, rather than negative and a mandate. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1603, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 1866, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1866, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 929, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 929, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING DEVELOPMENT," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 777, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 777, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representatives Herkes and Morita, for the Committee on Consumer Protection & Commerce and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 1004, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1004, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY," passed Second Reading and was referred to the Committee on Finance.

Representatives Herkes and Morita, for the Committee on Consumer Protection & Commerce and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 185) recommending that H.B. No. 1005, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 92, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 92, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 273, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 1322, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1322, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 1323, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 1311, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1311, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 191) recommending that H.B. No. 1328, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1328, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I rise in support of Stand. Com. Rep. No. 191 with reservations. What I'd like to point out to this body is that there is no appropriation language in this bill addressing the impact that it will have on our correctional facilities. I believe that the Department of Public Safety, there should be an appropriation language here and it should be addressed what the impact of this law is going to be on our correctional facilities. I believe it's very important when we pass these kinds of bills where it appears we are going to put more people in our prisons that we have to address what the impact is going to be on our correctional facilities. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 192) recommending that H.B. No. 1868, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 193) recommending that H.B. No. 124, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 600, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 1009, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1009, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict of interest on Stand. Com. Rep. No. 195. I work for the firm that represents the substitute teachers in a class action lawsuit, but I don't work on that case. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1009, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 196) recommending that H.B. No. 1231, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1231, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 1340, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 1399, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1399, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," passed Second Reading and was referred to the Committee on Finance.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 1745, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1745, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 869, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 869, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," passed Second Reading and was referred to the Committee on Higher Education.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 201) recommending that H.B. No. 1485, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE CONTROL," passed Second Reading and was referred to the Committee on Judiciary.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 200, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Energy & Environmental Protection.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 203) recommending that H.B. No. 338, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 338, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Colleagues, I apologize for being tardy on this measure, but I want to just say that I'm all for growing the technology industry. I'm not too sure if this bill is the proper vehicle to do so. I think it has a few flaws. I just wanted to mention a couple of glaring *pukas* I see.

"I'm sorry. I rise with reservations. First of all, it's $100 million out of the general fund. I think it's going to be a lot of money to help seed this special fund. It also has a quirky way of providing for future funds into this special fund in that it has an appropriation tied to one-half of 1 percent of all future general funds here in the State. There is no other special fund set up like this.

"The bill also creates a new innovation corporation. I'm not a big fan of increasing the size of government. The Hawaii Strategic Development Corporation, in talking to John Chock is more than

capable of administering any kind of Innovation Fund that we create. And as this measure moves forward, I hope that we require some private matching funds with this measure because if we don't have the private sectors buy-in, I don't think we should be risking taxpayer's money and solely funding future ventures on the backs of taxpayers. And so for those reasons, I would like to register a vote with reservations."

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

"Mr. Speaker, I too, rise with reservations. None of us buy houses with cash. We go for long-term loans. And I think when you have a hundred million dollars to seed a fund, it's really a misuse of these types of funds. If it's the right purpose, the right intent, then we've got to seed with the money. I think the government has got a bill that says let's use the ERS fund. That's something that's not going to take immediately away from our existing programs and the need for future programs. I agree with the previous speaker that it needs to be looked at seriously again. Thank you."

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

"Thank you, Mr. Speaker. I too rise with reservations. It is my understanding that this ability to give grants for entrepreneurial businesses and endeavors is really provided by the Hawaii Strategic Development Corporation. I would caution us to be paying attention to the nature of this corporation and its parameters, as well.

"As I look through, and having been on the Committee and listening to the testimonies as well, the purpose of the Corporation and the way in which the awards will be granted, don't seem to coalesce. And one of the concerns I have, and hope the next Committee will look at, is that if we are going to be giving any extensive amount of money to create a corporation that's going to create more economic opportunity, that we'll tie also into it an expectation for performance measurements. And if one of the purposes is to provide high quality, high income job opportunities, I think the measurement for awarding a grant would also have to include what that means in terms of numbers for people. Thank you."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 338, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 932, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 932, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 1010, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1010, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY GROWTH," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 1056, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1056, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REGULATORY BOARDS AND COMMISSIONS ADMINISTRATIVE ASSISTANT," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 1781, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1781, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TECHNOLOGY AND INNOVATION CENTER," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 208) recommending that H.B. No. 584, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 584, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 209) recommending that H.B. No. 319, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading, and was placed on the calendar for Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 210) recommending that H.B. No. 1073, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1073, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 22) and concurrent resolution (H.C.R. No. 38) were referred to Printing and further action was deferred:

H.R. No. 22, entitled: "HOUSE RESOLUTION URGING THE UNITED NATIONS, EUROPEAN UNION, AND NORTH ATLANTIC TREATY ORGANIZATION TO PURSUE POLICIES DIRECTED AT ENDING THE ONGOING CONFLICT IN THE DARFUR REGION OF WESTERN SUDAN," was jointly offered by Representatives Cabanilla, Awana, Berg, Bertram, Caldwell, Hanohano, Manahan, Mizuno, Pine, Rhoads, Sonson, Takai, Tokioka, Ward, Carroll, Chang, Evans, Finnegan, Green, Har, Herkes, Ito, Luke, Magaoay, Marumoto, Meyer, M. Oshiro, Sagum, Shimabukuro, Souki, Thielen, Wakai, Yamane and Yamashita.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING NOVEMBER 21ST AS INTERNATIONAL PEACE AND RECONCILIATION DAY IN THE STATE OF HAWAII," was jointly offered by Representatives Cabanilla, Mizuno and Berg.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. I have an announcement. Today we have a Hawaiian Caucus meeting. I would like to invite all of the Members of the House to join us for a presentation that will be given by Dr. Laiana Wong, Dr. Margie Maaka, Kalehua Krug, Kimo Cashman and Myren Burmaghin. They're from the University of Hawaii in Manoa and they'll be talking about a program called Hookula Iwi. That's today, 4:00 in Room 423. Thank you."

Representative Green: "Thank you, Mr. Speaker. Your Committee on Health, I just wanted to extend a word of thanks to the Sgt.-at-Arms and the Clerk's Office for the very long hours yesterday at the Death with Dignity hearing. Thank you, Mr. Speaker."

Representative McKelvey announced that the Committee on Consumer Protection and Commerce and the Committee on Judiciary will be conducting a joint hearing today at 1:45 in Room 325, with decision making to follow.

Representative B. Oshiro announced that the Committee on Judiciary will be conducting a public hearing on the various bills at 2:00 p.m. in Conference Room 325.

Representative Bertram announced that the Committee on Higher Education and Committee on Human Services and Housing will be conducting a joint hearing today at 2:00 p.m.; followed by the Committee on Higher Education and Committee on Economic Development and Business Concerns at 2:20; as well as the Committee on Higher Education at 2:35 in Conference Room 309.

Representative Brower announced that the Committee on Agriculture and the Committee on Water, Land and Ocean Resources and Hawaiian Affairs will be conducting a meeting for decision making tomorrow at 8:30 a.m.; followed by a Committee on Agriculture public hearing at 9:15 a.m. in Conference Room 325 with decision making to follow.

Representative Mizuno announced that the Committee on Health, the Committee on Human Services and Housing, and the Committee on Consumer Protection and Commerce will be conducting a joint public hearing on Friday, February 9, at 8:30 a.m. in Conference Room 329 with decision making to follow.

Representative Sonson announced that the Committee on Labor and Public Employment will be conducting a public hearing tomorrow, February 9, 2007 at 9:00 a.m.; followed by decision making on items previously heard, at 9:15 a.m.

Representative Sonson, for the Committee on Labor and Public Employment also requested a waiver of the 48-hour advanced notice requirement to hear HB No. 316, Relating to Workers' Compensation on the 9:15 agenda for decision making only, and the Chair "so ordered."

Representative Chong announced that the Committee on Water, Land, Ocean and Hawaiian Affairs, and the Committee on Agriculture will be conducting decision making at 8:30 a.m. tomorrow; followed by Water, Land Use, Ocean and Hawaiian Affairs public hearing at 9:15 a.m. in Conference Room 312.

Representative Sonson also announced that the Committee on Labor and Public Employment and the Committee on Public Safety and Military Affairs will be conducting a joint public hearing at 8:30 a.m. to consider other measures.

Representative Tokioka for the Committee on Legislative Management requested a waiver of the 48-hour advanced notice requirement to hear HB No. 314, HD 1 tomorrow at 2:00 pm. in Conference Room 423, and the Chair "so ordered."

ADJOURNMENT

At 12:53 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 9, 2007. (Representatives Luke, Saiki and Takamine were excused.)

SIXTEENTH DAY

Friday, February 9, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:01 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor James Tweedie of Mililani Presbyterian Church, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Meyer, M. Oshiro, Souki and Takamine, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 258 through 260) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 258, dated January 30, 2007, transmitting the Hawaii Community Development Authority's Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 259, dated February 8, 2007, transmitting the Office of Youth Services' Report as required by Act 160, Section 38.3, Session Laws of Hawaii 2006.

Gov. Msg. No. 260, dated January 31, 2007, transmitting the Department of Defense's storm recovery expenditure report.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 7 through 11) were received and announced by the Clerk:

Sen. Com. No. 7, transmitting S.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 8, 2007.

Sen. Com. No. 8, transmitting S.B. No. 840, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," which passed Third Reading in the Senate on February 8, 2007.

Sen. Com. No. 9, transmitting S.B. No. 950, entitled: "A BILL FOR AN ACT RELATING TO TARO," which passed Third Reading in the Senate on February 8, 2007.

Sen. Com. No. 10, transmitting S.B. No. 958, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," which passed Third Reading in the Senate on February 8, 2007.

Sen. Com. No. 11, transmitting S.B. No. 1531, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," which passed Third Reading in the Senate on February 8, 2007.

On motion by Representative B. Oshiro seconded by Representative Thielen and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Cabanilla, Meyer, M. Oshiro, Saiki, Souki and Takamine were excused.)

S.B. No. 618
S.B. No. 840
S.B. No. 950
S.B. No. 958, SD 1
S.B. No. 1531, SD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 48 and 49) were received by the Clerk and were placed on file:

Dept. Com. No. 48, dated February 2, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on The Social Sciences Public Policy Center Public Policy Dialogs on Open Government.

Dept. Com. No. 49, dated February 2, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the Hawai'i Energy Policy Forum.

INTRODUCTIONS

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

Representative Herkes introduced Leimana Damate and Bob Damate, his cousin from Ka'u.

Representative Tokioka introduced HSTA members, Avis and Leroy Kaona of Kauai, and Beverly Gotelli of HSTA.

Representative Morita introduced HSTA members Annie and Tommy Hashimoto, and Sharon Pomroy from the North Shore of Kauai.

Representative Carroll, on behalf of Representative McKelvey and herself, introduced Les Kuloloio, Orpha Kaina and DeAnn Kaina of Lahaina; 'Opuulani Albano, Vanda Hanakahi and Mac Poepoe from Molokai; and Winnie Basque from Lanai.

Representative Takai introduced HSTA member Ms. Faith Tomoyasu of Lehua Elementary in Pearl City.

Representative Ito introduced former Representative, Ululani Beirne of Kahana Valley.

Representative Carroll also introduced her Office Manager, Ms. Jan Lehner.

Representative Caldwell introduced and recognized all the teachers sitting in the gallery.

At 12:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution was referred to committee by the Speaker:

H.R. No.	Referred to:
22	Committee on International Affairs

The following bill was referred to committee by the Speaker:

S.B. No.	Referred to:

139, SD1	Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
116	Committee on Consumer Protection & Commerce, then to the Committee on Finance
136	Committee on Higher Education, then to the Committee on Finance
316	Committee on Labor & Public Employment, then to the Committee on Finance
454	Committee on Higher Education, then to the Committee on Finance
587	Committee on Higher Education, then to the Committee on Finance
652	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
810	Committee on Higher Education, then to the Committee on Finance
877, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1001	Committee on Human Services & Housing, then to the Committee on Finance
1356, HD1	Committee on Human Services & Housing, then to the Committee on Finance
1531	Committee on Higher Education, then to the Committee on Finance
1547, HD1	Committee on International Affairs, then to the Committee on Finance
1587	Committee on Judiciary, then to the Committee on Finance
1905, HD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

STANDING COMMITTEE REPORTS

The Chair then announced:

"Members, at this time, the Chair will be taking Stand. Com. Rep. No. 253 on page 11, out of order."

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 253) recommending that H.B. No. 1905, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that notwithstanding the recommendations contained in Standing Committee Report No. 253, that H.B. No. 1905, HD 1, be recommitted to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

Representative Morita rose to speak in support of the motion to recommit, stating:

"I rise in support of the recommittal. And I just want to address why the recommittal is necessary. In its present form, the House Draft 1 deletes the Certificate of Authority to impound. And why this is important is that existing dams can be revisited and regulated by the State using newly adopted and stricter provisions.

"Under the 1987 Act, only construction is regulated thus there is little incentive for owners to maintain their dam, and little authority for the State to order a dam owner to repair a dam or drain a reservoir. The House Draft 1 deletes the State's right to maintain control of the dam when an emergency condition exists. The House Draft 1 does not have any provisions to regulate the loan program that's in the bill, in the House Draft 1. From the original version of 1095, there were so many issues that needed to be addressed in the existing statute.

"For example, the definition of dam is outdated in the 1987 Act. If the State happens to find an unreported higher moderate hazard classified dam that is less than 25 feet or that impounds less than 15 acre feet of water, the State cannot regulate it and force the owner to make the repairs or the State to make the repairs itself because it is not a dam by definition. This could be a dangerous situation, especially if you cannot locate the owner and an emergency condition exists. The definitions section in the 1987 Act should be updated, particularly the definitions for 'owner' and 'person' which are not included in this House Draft 1, and leaves ambiguity in the statute as to whom the law applies to.

"The unlawful section left as it is, is weak. And is one of the major findings of the Godbey investigation and report. The monetary penalties for violations of the 1987 Act are low, a maximum of $500 per day and does not provide much incentive to comply with the law. Under the 1987 Act, the board's powers and authorities are vague. These are just some of the problems with the House Draft 1 and therefore it must be recommitted. So I ask the members to support the recommittal."

The motion was put to vote by the Chair and carried, and H.B. No. 1905, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," was recommitted to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representatives M. Oshiro, Souki and Takamine being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 1011, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1011, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 1119, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1119, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTHCARE AND WORKFORCE DEVELOPMENT IN THE SHORT-TERM," passed Second Reading and was referred to the Committee on Higher Education with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 1477, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1477, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," passed Second Reading and was referred to the Committee on Higher Education with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No. 1479, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESSES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 215) recommending that H.B. No. 466, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 466, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I just wanted to vote no on Stand. Com. Rep. No. 215 for the following reasons. I recognize that this is an attempt to help the rights of women to choose to have emergency contraception after they're raped. However, it does still require St. Francis Medical Center, or I guess it's now called the Hawaii Medical Center, to perform or give out emergency contraception. And while many may believe that since St. Francis sold the hospital to the Hawaii Medical Center, one of the basic agreements of that sale was to allow the Catholic sisters to continue to maintain its religious tenets. And therefore included these tenets as the condition of the sale and lease of the land under two medical centers.

"And so Hawaii Medical Center has agreed to comply with ethical and religious directives for the Catholic health care services. So there's varied concerns that while we're trying to protect the rights of one particular group, that we are taking away the rights of another group that is really trying to help bring healthcare to the people of Hawaii."

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

"I'd like to ask for a ruling on a potential conflict. My husband works for Hawaii Medical Center," and the Chair ruled, "no conflict."

Representative Ching continued, stating:

"I'd like to stand with strong reservations and I ask that the words of the Representative of Ewa Beach be entered as my own."

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

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

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

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

"Briefest of comments. Your Committee on Health believed, or I should say, I believed, that even though there is not a 'carve out' exemption for previous St. Francis, now the new body, we do believe that based on current statute, that people would have the right to refer treatment of someone who needs emergency contraception to another provider at the facility if it was their prerogative to give it. So we do think that that it is taken care of, but I look forward to further discussion of the matter."

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

"I rise in reservations. The matter is very simple. If you're in trouble, you should get emergency contraception. But if you happen to be in St. Francis and you can't, by virtue of the hundreds of years of whatever and however the doctrine is, all we have to do is exempt this one hospital and this bill goes 'lickety split'. One exemption. I think for the sake of the 99.999% of the people who are going to benefit from this, this tug of war has been much ado about nothing. All we have to do is give one exemption and this bill is over with. And I think we have to be more common sensical rather than political with the way this bill has been approached in the past. Thank you, Mr. Speaker."

The Chair then stated:

"Thank you, very much. This particular measure will be going to the Committee on Judiciary after this, so I hope the Judiciary Committee will have a lively debate on this matter."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representative Pine voting no, and with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 216) recommending that H.B. No. 1792, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1792, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I rise in opposition to this matter. The measure today before us is very flawed in my opinion. It would fast-track the use of a specific drug treatment protocol for the problem of crystal methamphetamine that has not been clinically tested. The Director of the Department of Health who is charged with conducting the review in this measure

has expressed that the Department does not review or approve medical treatment protocols which she's being asked to do in this measure.

"The other thing I would point out, Mr. Speaker, is that while this protocol may be an option for the future there are other better ways in which we could invest the monies that would be used in this measure. For instance, on drug treatment programs and substance abuse education which this body has funded before.

"Again, while this may be a promising treatment I would urge that we not pass this because we simply cannot unnecessarily waste the monies when it can be used in other ways."

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

"Mr. Speaker, I stand in strong support of this matter. As you all know, we're the number one state in the whole union with the most crystal methamphetamine addicts. This is a drug that's fully approved by FDA. It's been in Hawaii for the last three years.

"In the hearing of the Committee of Health, Kahi Mohala, the Executive Director came forward and said they are now about to use it for their patients, and they're now having dialogue with HMSA to cover some of the costs of this treatment and we now have people in Hawaii that have actively used this drug PROMETA. I think the conflict here, there's a conflict, because there's also other people who are interested who have come forward and said that they have better treatment.

"There are now three states in the nation, Mr. Speaker, in which the criminal justice system has adopted the use of these drugs. Yes, we do have treatment for crystal methamphetamine, which is not medication, in our State. And I think that we should spur every race and implement means that had been proven elsewhere for the benefit of our people. I think that if you look at the affects of crystal methamphetamine or 'ice', we are the state of ice epidemic, in our State, we should be the leader of measures that will cure our people and decrease the number of criminality in our State. PROMETA has been here like I said for three years and it's also only been used by the rich and the famous.

"But unfortunately, Mr. Speaker, the people that are ice addicts do not have medical insurance or neither do they have money to be treated. So this bill is only a measure wherein we can implement public support or public appropriation for this type of people. Otherwise, it's available in this State. There are a few providers here in this State and I've had dialogue with every agency that has something to do with the approval of PROMETA.

"The bill says that we are to review studies done elsewhere. We are not putting any money for any studies here. We merely review and follow up, follow the rules as being implemented by other states. And as far as the Department of Health is concerned, they don't want to review. There are other agencies, Mr. Speaker, that we can approach to study this for our own implementation. Thank you very much."

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

"I'm rising with some strong reservations. I went to the Neal Blaisdell Center for a review of this program. The people that were involved with it from the very beginning were there. I was not convinced. What I did get was that it was a very expensive program. And I would like to see a lot more data and information as to the real value of it, but I note that in the Committee Report, that the Department of Health and even Elaine Wilson, who used to work in the alcohol addiction area in the Department of Health was against this bill."

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

"I stand in conditional strong support of this bill. Conditional strong support based on one statistic. In the Health Committee, one of the purveyors of the trials that this went through gave us the astounding statistic that 75 to 80 percent of those addicted to drugs were free. That tells me something is happening because that's a rate that no other program gets to. So I think that what we should do is pass, get it on Medicare, see if it works, fund it or throw it out."

Representative Cabanilla rose to respond, stating:

"I just want to address, Mr. Speaker, the issue about the cost of PROMETA. It will be expensive, but if you look at the effects of crystal meth, of ice addiction in our State, in our criminal justice system, when they come in and out of probation or incarceration or the families that are broken down because of this addiction and all the crimes that comes to our society because of that addiction. If you add those up, Mr. Speaker, we are better off paying the price for their treatment."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," passed Second Reading and was referred to the Committee on Judiciary with Representative Belatti voting no, and with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 217) recommending that H.B. No. 1476, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1476, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 218) recommending that H.B. No. 1893, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1893, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL LICENSURE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 219) recommending that H.B. No. 1118, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 220) recommending that H.B. No. 1335, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 460, HAWAII REVISED STATUTES, OSTEOPATHY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 221) recommending that H.B. No. 1368, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1368, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 222) recommending that H.B. No. 843, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 843, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 222, House Bill No. 843 HD 1, I'm standing in strong support. This is regarding Kahuku Hospital and I appreciate the Committee of Health hearing it. For us on the North Shore, it's really critical that we have this institution saved. This now goes to the Finance Committee. Hawaii HSC is the bearer of it.

"But also with this bill there's linkage involved. The Governor had an emergency appropriation and also a grant, and that's moving. So I'm asking the body to support that as we move on."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 223) recommending that H.B. No. 825, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 825, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives M. Oshiro and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 224) recommending that H.B. No. 1008, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1008, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 225) recommending that H.B. No. 1691, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1691, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"This bill would allow an employee, only an employee, to elect to use accrued paid leave including vacation, personal or family leave, for any part of a four week period of family leave provided under the law. I'm going to go with reservations, but I'm very concerned about this bill. The measure puts Hawaii's statute in conflict with the federal Family and Medical Leave Act of 1993 and sets a different standard for Hawaii employers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1691, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 226) recommending that H.B. No. 1522, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1522, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I stand in strong support of Stand Com. Report 226 for civic responsibility and educating our children in these different disciplines. And I would like to ask if I can have written comments inserted in the Journal."

Representative Ching's written remarks are as follows:

"Thank you Mr. Speaker. I rise in strong support of House Bill 1522 - Relating to Education.

"I strongly support HB 1522 which would establish a grant program to increase Hawaii school student's understanding of civic responsibility through increased civic learning opportunities. We must be deliberate about preparing our youth to be willing and able to take their active role in civil society. Well-designed classroom, school-wide, and complex level programs that foster an understanding of fundamental constitutional principles through methods such as service learning, integration of current events, or simulations of democratic processes and procedures, together with required assessment and tracking of students' civic learning, will enhance educational accountability.

"Initiatives such as No Child Left Behind have placed enormous emphasis on reading and mathematics, and there is now a growing stress on science and technology. However, Hawaii school children should understand the electoral process and practice other aspects of civic responsibility while in school to be prepared for their roles as citizens in adulthood. In recent decades, increasing numbers of citizens of Hawaii and other Americans have become disengaged

from civic and political institutions and electoral activities such as voting. Recent figures show that Hawaii has the lowest voting incidence in the nation. By increasing opportunities for civic learning, this bill will help each generation of Hawaiians understand their rights and responsibilities as citizens as well as the importance of active, informed citizenship.

"I support HB 1522 as a way to engender personal, civic, and academic engagement in our school children and to promote a deep sense of civic responsibility in them, as well a joy in life-long learning."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1522, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 1630, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1630, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 1508, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1508, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I rise with reservations. This particular bill raises the salary cap of the Superintendent of Education, as well as the executive management team from, not all of them, from $150,000 to $200,000. And I actually had some questions for the Board of Education, but they weren't there at the hearing to answer them.

"And in regards to this, I know that we won't be looking into being prescriptive as to what are the outcomes that we expect for our raises, but what I wanted to ask the Board was, what is the system that they have to review the superintendent for raises? And because I don't know that I'm going to move forward with reservations."

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

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

"Thank you, Mr. Speaker. The first speaker was interested in knowing how the Board does the review. She could have asked me actually, but that's beside the point. How the Board of Education does a review of the Superintendent is on an annual basis. But the Superintendent also has a multi-year contract and that evaluation is done of course as all evaluations are in executive session. So the criteria that they use for the Superintendent is based upon the Superintendent's plan on how she will improve student achievement and all the different culture that they are going to judge as Superintendent.

"This bill really says … Well, let's backtrack. The Superintendent currently gets paid $150,000. That was her pay when she first got the job over five years ago and it has not budged because the ceiling is $150,000. This bill merely lifts the ceiling to $200,000. It is totally and entirely up the Board as to what degree, $150,000 to $200,000, they want to raise the Superintendent, again based on an evaluation that they review in executive session. I hope the first speaker is not implying that we here at the Legislature ought to get involved in evaluating the superintendent. I think that would be a tricky business indeed.

"And, to keep it in perspective, this current Superintendent, the future superintendent in fact, oversees the ninth largest school district in the United States. If you look at studies, Superintendents of districts in the United States between 100,000 and 200,000 students of which we are one with 180,000 students, gets on average $228,000 in salary. Again, you want to take into account Hawaii's cost of living, $200,000 at the top end is a reasonable amount. And again, that's not to say any superintendent will get that amount. It will be based upon the performance evaluation that's conducted by the Board. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Still with reservations, Mr. Speaker. And just some additional comments. In regards to this particular bill and being able to ask the Board of Education, one of the things I just want to be consistent with is we passed out legislation that required principal performance-based contracts. And as we're going through that, we are expecting a certain agreement as to how we are going to pay principals. And I just want to make sure, because we are spending taxpayer money, that we do our job in reviewing maybe some of the guidelines. Is this performance-based? Those type of things.

"I'm not saying that the Superintendent deserves more or deserves less in comparison with the rest of the State. So it's just a matter of being consistent, saying that is this performance-based, what system is in place that would help us understand the review process."

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

"I'm rising with some strong reservations. I guess the first thing that comes up for me is that the top executive in this State who is the Governor makes $112,000. I've heard the arguments in the past when the superintendent was Superintendent Aizawa, and he was going to step down. They were going to get a … I can't remember whether he had a vote of no confidence, but they were looking for another Superintendent.

"And the salary at that time was about $94,000 and in quotes from the Board of Education it was like it's very hard to get anybody to apply for the job. Actually, a lot of people applied. People from other states. Then when the ceiling was raised to $150,000 it wasn't very long before it just jumped to the cap. I don't have a lot of faith in the Board of Education in that when the further a person is from the money that is earned, and tax money comes in and everything gets spread out. Nobody thinks about how they would spend their money or if they had an employee, what they would do.

"The Chair of Health alluded to the fact that the Superintendent gets a multi-year contract. I think a few years back, the Board of Education decided to renew it when it wasn't up because in their mind they were so happy with the work she was doing and that was good for her. But that was sort of an arbitrary decision made. It wasn't the time to renew the contract. My fear, I guess, is that we're just going to if we pass this, raise it to $200,000, the Board may very well just say, 'Well, I think the Superintendent's worth it. Let's do it.' That's a huge increase. That's tax dollars. I'm not comfortable with that amount."

The Chair then stated:

"May I correct your statement earlier. It was not the Chair of Health. It was the Chair of Education."

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

"I'm in support. I just want to correct the previous speaker. It was not Dr. Aizawa. It was Dr. LeMahieu."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 1268, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1268, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"On Stand Com Report 229, HB 1268 HD 1, I'm going with reservations on this one. I stated my concerns in the Committee hearing. I don't want to belabor it here. This still has a long ways to go. But in a nutshell, Mr. Speaker, this measure, this proposal has not had quite the degree of collaboration with all the stakeholders that I think goes into sound public policy. There's still time for that to occur. So I will withhold final judgment on this bill, apart from with the assurances that when in session, it will be a product that all of the stakeholders can say that we had a part in developing it."

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

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

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

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

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

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

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

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

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

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

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

"I speak with strong support. First of all Mr. Speaker, I do want to thank the Chair of Education for allowing this to pass out of Committee. This is a good bill that has a lot of promise. And it is quite comprehensive and so there are a lot of parts to this measure that we need to look in and through. But I would like to say that after reading a lot of the information on this bill and other innovations bills that what it did was it allowed for leveraging of existing resources. This is also bringing in things that are successful within the community, or within education and trying to bring that all together under one vision. So although, as we go forward, there's a lot of promise to this bill. There are a lot of good things that are going on in Hawaii that support the parts of this bill. I'm just very thankful that we get to continue the conversation on this."

Representative Takai rose to respond, stating:

"Still in opposition. My reason for opposition is that this is the Governor's bill, and in the hearing we talked a little bit about the collaboration that the Minority Leader just recently discussed. And the fact remains that I don't think to this date that there is enough collaboration and discussion going on in the Department of Education and the University of Hawaii. In fact, when the bill was crafted, my understanding is that neither the University of Hawaii nor the Department of Education was asked to participate. And that troubles me because the focus of this particular measure is at the University of Hawaii and our public schools. If this is in fact a true collaborative effort, those two partners must be involved."

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

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

"Just with strong support, Mr. Speaker. I don't think we should shoot down a great idea just because we left out a person in the discussion. We still have lots of time to include that person or that group and hopefully that will occur. I do want to note that there were multiple testimonies and some from the University of Hawaii strongly supporting this measure. And they were included in those discussions. And I also want to note that despite having numerous, numerous supporters, there was only one opponent. And he was a private citizen. So hopefully we can together as team in this body get those people who we think are left out and pass this measure."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN EDUCATION," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representative Takai voting no, and with Representatives M. Oshiro and Takamine being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 230) recommending that H.B. No. 1169, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 282, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 282, HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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

"I rise in favor of this Committee Report. And I just would like to point out that the Committee Report mentions that no matter whether we know what happens to Aloha Stadium in the future, whether there will be a new stadium, your Committee finds that the needs of the existing stadium should not be ignored. So our priorities should be placed on addressing the immediate repair and maintenance needs of the stadium.

"The Director of the Department of Accounting and General Services pointed out that if a new stadium is desired, it would take a minimum of ten years to find a suitable site, to do the planning, the permitting, the appropriations and so meanwhile we need the stadium for UH games, for other events of statewide concern for other public events, especially for public high schools. For reasons of health and safety and ADA compliance, we should make sure that we tend to the immediate needs of the Aloha Stadium."

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

"I would like to vote no on this measure and I would like to briefly mention why even though I stand the risk of sounding like a broken record. My opposition is that acquisition of new land, and I know they're looking at land in Ewa, and it would be nice for us to have a stadium there. But we don't have the infrastructure to support it, Mr. Speaker. We've got traffic gridlocked every day and the only reprieve we have is on the weekend. I would really hate those two days be occupied by a whole bunch of people coming to Ewa."

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

"I rise with reservations. Basically, Aloha Stadium is right smack dab in the middle of my district and whatever happens, whether it is relocated or we fix up the existing stadium, will have big consequences or benefits on the district. And I haven't been able to … I don't sit in this particular Committee, so I'm going to reserve my vote until Third Reading, but I did want to just note my reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA STADIUM," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representative Cabanilla voting no, and with Representatives M. Oshiro and Takamine being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 1104, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives M. Oshiro and Takamine being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 1435, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1435, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 234) recommending that H.B. No. 781, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 781, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I am in opposition to Stand. Com. Rep. No. 234, House Bill 781 HD1. This would really gut the Works of Art Special Fund, the State Foundation of Culture and Arts program. I'm not quite sure of everything it does but it looks like it would cut the funding for the acquisition and maintenance of the art by 50%. I think we should look at this very carefully."

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

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

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

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

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

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

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

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

"Mr. Speaker, in support. This measure is just an option. It's to give Culture and Arts the option of going up to 50% of their amount of special fund for repair and maintenance or capital improvement projects. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 781, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORKS OF ART SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto and Thielen voting no, and with Representatives M. Oshiro and Takamine being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 235) recommending that H.B. No. 1352, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1352, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 236) recommending that H.B. No. 1552, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1552, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 237) recommending that H.B. No. 158, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 158, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 238) recommending that H.B. No. 160, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 160, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 239) recommending that H.B. No. 893, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 893, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"On Standing Committee Report 239, with reservations. I just have some concerns of increasing the size of buses and that's for safety reasons that I vote with reservations."

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

"I'm rising with a similar concern, so at this point, aye with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 893, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 240) recommending that H.B. No. 375, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 375, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 357, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 242) recommending that H.B. No. 806, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No. 497, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 497, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"I'm rising in strong support of both 243 and 244. It's mainly because we've really been remiss. Hawaii has been historically behind the rest of the nation in spending on pedestrian facilities. It might be a good reason why we're killing so many bicyclists and pedestrians. We lead the nation in those regards.

"So this is just a small step, these first two bills, in actually trying to correct that history. We were 43rd in the nation for expenditure of available federal funds for bike pedestrian facilities. And it's really been because the State DOT is really not focused on walking and biking. Their focus is on automobiles.

"So this is just a first small step in the right direction toward sustainability, and I'm pleased that the Legislature is taking these

initial baby steps toward a sustainable pedestrian-oriented transportation system."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 497, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 1823, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1823, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE AND PEDESTRIAN SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 245) recommending that H.B. No. 989, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 1290, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1290, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 1292, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1292, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 248) recommending that H.B. No. 505, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services & Housing.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 505, HD 1, pass Second Reading and be referred to the Committee on Human Services & Housing, seconded by Representative B. Oshiro.

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

Representative Ito's written remarks are as follows:

"Mr. Speaker, the purpose of this bill is to make more lands available for the development of affordable housing by:

1) Authorizing the Department of Land and Natural Resources to issue 99-year term leases of ceded lands for the development of low and moderate income housing; and

2) Requiring DLNR to conduct a study and submit a report on the inventory of available ceded land and their suitability for the development of affordable housing to the 2008 and 2009 Legislatures.

"Mr. Speaker, affordable housing throughout the State is in a crisis state. Because of the very active real estate market, families who previously were able to afford affordable housing are now living with relatives or are homeless because they no longer can afford the increase in their rent. Many of OHA's beneficiaries fall within these parameters and are in need of affordable housing.

"Mr. Speaker, this bill will permit the use of ceded lands for the development of affordable housing. It is hoped that through this measure, families who are now living with relatives or on the beach will be able to live in brand new affordable housing.

"Mr. Speaker, I ask all of my colleagues to vote favorable on Standing Committee Report No. 248, H.B. 505, HD 1. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Human Services & Housing with Representatives M. Oshiro and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 249) recommending that H.B. No. 507, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 507, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

Representative Ito's written remarks are as follows:

"Mr. Speaker, I am in support of Stand Com. Report No. 249, H.B. 507, HD 1.

"Mr. Speaker, the purpose of this bill is to preserve legislative oversight over small boat harbors statewide, by prohibiting the transfer of jurisdiction, duties, authorization, programs, records, equipment and materials, funding, or personnel relating to State small boat harbors to any county in any manner unless expressly provided by statute.

"Mr. Speaker, our State small boat harbors are a vital part of the State of Hawaii's intra-state transportation system. Passage of H.B. 507, HD 1, will ensure that the legislative branch of our State government continues to have oversight on issues like harbor divesture, and continues to represent the best interests of the people of the State of Hawaii.

"Mr. Speaker, I ask all of my colleagues to vote favorable on Standing Committee Report 249, H.B. 507, HD 1. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives M. Oshiro and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 250) recommending that H.B. No. 1590, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 251) recommending that H.B. No. 1591, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 252) recommending that H.B. No. 1593, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 254) recommending that H.B. No. 1555, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1555, HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

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

"No vote for me as well. I think I have to apologize to you, Mr. Speaker. I usually don't stand up on Second Reading bills because I know they have a long way to go, but on this particular measure, this bill takes two concerns that perhaps the Economic and Development and Business Concerns Committee, along with Tourism and Culture can take a look at as it goes to their Committees.

"First of all, the bill does not have anything in here that is called 'claw-back' provisions. And what 'claw-back' provisions are is anytime an entity, whether it be the State or the city, gives a subsidy of credit and abatement, any tax thing of that nature, they usually put in a 'claw-back' that says if you don't live up to your end of the bargain, then we can 'claw back' and take back that credit.

"What are some of the provisions, generally? Some of the provisions are, we will employ X number of people at an average wage of this amount. And there is an assurance from us as policymakers that this is indeed in the best interest of the State because it's an income generator, a job creator and of course, a tax generator as well. That is absent from this bill.

"The second point is a real minor point actually, is that it's odd to me that it's a $75 million tax credit which we gave not that long ago for another world-class fish tank, and it seems like this is going to be applied as well. My understanding of tax credits is, it's not like a gift certificate where you can just kind of transfer it over to someone else. Now that may not be of any relevance whatsoever, but I just want the other two Committees as they look at it to take those two points into account."

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

"I also rise in opposition to this measure. I would like a no vote cast. Also, it was really difficult to support this measure in Committee because there are really no proponents for it. So it's really difficult to ascertain what the project was like. And I also would like to incorporate the words of the previous speaker of my colleague from Pearl City as my own."

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

"I rise in opposition to this measure. And first of all would like to incorporate the words of the Representative from Pearl City as if they were my own. Mr. Speaker, the Ko Olina tax credit was unnecessary back in 2003. This measure is unnecessary today. No developer has stepped forward to push an aquarium in Kakaako so I'm not too sure who this bill will benefit.

"We have a golden opportunity here to put $75 million back into the State's financial plan. So let's take the first step forward in the right direction by simply wiping the Ko Olina tax credit off the books and then examine using that money in our financial plan for all of the other good, worthy government projects. This effort to me is more about taking advantage of an opportunity than it is about serving a good public need."

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

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

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

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

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

"No vote. And may I say a few words? This is not yet been mentioned so what I want to add is this year we came into the Session knowing we had issues about housing and I'd sure like to see a tax credit go for student housing that we need all across the State. And we could maybe get the private sector to build our student housing and put in some tax credit for that."

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

"I rise in support of House Bill 1555, HD 1. Mr. Speaker, the purpose of this bill is to provide tax credit for costs incurred in the development of a world class aquarium at Kakaako Makai on Oahu, up to a maximum of $75 million to all qualified taxpayers in all years.

"Mr. Speaker, questions have been raised as to the future status of the Waikiki Aquarium which is operated by the University of Hawaii. This measure does not preclude the Waikiki Aquarium from formulating a partnership with the developer of the aquarium. Such a partnership can only enhance the Waikiki Aquarium's research capabilities as well as increasing the visitors count through a shared entrance fee arrangement. Furthermore, House Bill 155 does not preclude the University of Hawaii from developing their own aquarium and utilizing the tax credit or the design and construction costs.

"Mr. Speaker, in 1999 the Hawaii Community Development Authority commissioned PricewaterhouseCoopers to conduct an independent study to investigate the market and the financial potential for a world class aquarium in Kakaako. The Waikiki Aquarium also had input into the study, regarding the programming of the proposed aquarium. Mr. Speaker, this study concluded that a world class aquarium in Kakaako is both financially advantageous and sound investment for the future.

"Back in 1999, it was estimated that in opening year of the aquarium alone, it was predicted to draw an estimated 900,000 to 950,000 annual visitors. The study further stated that such an aquarium in Kakaako could capture upward of 750,000 visitors annually, fully financing its operation from visitor-spending revenues and ultimately creating a surplus that accommodates a meaningful level of debt financing. The study further states that the implementation of HCDA plans for the waterfront development at Kakaako will play an important role in the success of the aquarium by providing an exciting and attractive people place with significant parking. Thus, the aquarium may be only one element of a campus which accommodates other related activities.

"Mr. Speaker, HCDA entered into a development agreement with KUD International, LLC for 11.5 acres of the 221 acre development area. A June 18, 2004 report entitled, "Ocean Science Center at Kakaako Business Plan" concluded that a world class aquarium in Kakaako would be a major anchor for the Kakaako Makai development region through a shared vision branding theme built around science. The result could be a vibrant community, a thriving economy and a recognition of science attached to the name of Kakaako in the State of Hawaii. Mr. Speaker, this is an incredible opportunity for the State of Hawaii to invest its precious tax credit into a fiscally sound investment for our future. I urge my colleagues to pass HB 1555, HD 1."

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

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

"In support. I would first like to incorporate the words of the Chair of the Water and Land Committee on as if they were my own, but also to offer a couple of brief comments.

"This State for many years has talked about building a world class aquarium. And when you think about it, Mr. Speaker, a state like ours in the middle of the Pacific with tourism its number one industry, and with our population enjoying the Pacific every day, we should have an aquarium that can educate our children and our adults and also educate the tourists who visit our State everyday and our growth engine of Waikiki. And despite many attempts to develop public/private partnerships to build such aquariums, it hasn't succeeded.

"Most recently we saw an attempt and instead $75 million went to Ko Olina on the promise that they'd build an aquarium out there which has never transpired. We've lost four years since then. This would allow a public/private partnership to come in, take advantage, build an aquarium, turn it over to UH at some point for them to run and for many, many generations in the future to take their children down there and learn more about the ocean the surrounds all of us.

"It's a good first step, it deserves serious consideration and I hope that this vehicle remains alive and that the Senate will look at it closely too."

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

"Mr. Speaker, one could argue that this is a revenue-neutral bill. I'm speaking objectively in favor. Because if they don't build it, there's no tax credit. But if they build it, there's going to be income that comes to the State. And I'm not saying we should always dangle tax credits for people to build it, but there's no money leaving the treasury unless it's built. And if money leaves the treasury, it comes back *vis-à-vis* the private sector and the stimulation of the economy. So it's value-neutral the way it is but if you put it into gear, that's when it has its benefits."

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

"I rise with reservations. As a member of the next two Committees I will remain open-minded as to what they will be sharing with us. My concern with this particular bill is that it is actually not value-neutral. It will represent the decision that we have with this that will represent how we feel about Hawaii's movement to diversify our economy away from the visitor industry as the primary source. And I have some concerns about the existing aquarium because we've invested a lot in that as well. So I will remain open-minded."

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

"Mr. Speaker, with reservations. And what prompts my reservation are some things that the Majority Leader has said. It is true that we've been down this road before and we tried it before, and it seemed as though that resulted in kind of a failure because we didn't put any type of assurances in the bill, or we didn't put some type of mechanism in the bill to require, or to get assurances that it's actually going to happen for the amount that we're providing the developer or providing people who are going to develop the aquarium.

"It seems like we've been down this road before, and it seems like despite the effort that we try to give similar type of tax credit for $75 million, it didn't happen. And the message at that point in time when we first passed it was that people should be able to do it, or people would be willing to do it despite the $75 million from the State. It seems like we're going down the wrong path again."

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

"I wish first to incorporate the words of the Chair of Education and the Representative from Salt Lake as if they were my own. And briefly in opposition, I think a lot has been said already. But one of the things that hasn't been said is that I think we still have the $75 million tax credit on the books for Ko Olina. This bill doesn't even address that. So if this bill passes, not only will we have the $75 million Ko Olina tax credit, but we'll also have this Kakaako tax credit. It already troubles me that we have on the books the Ko Olina tax credit.

"I've said for many years now my concerns regarding that. It also goes back to when we provided $150 million to University when we gave them the funds necessary to construct the UH Medical School. Same concerns there, same concerns when I was in 2001, 2003 with the Ko Olina tax credit, I had the same concerns and those concerns have not been erased."

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

"In opposition. Just to add a few more words. I noticed that the Kakaako community I don't believe has weighed in on this yet so it may be very premature. And the other thing is the argument mentioned before about this would help the University in terms of research. Well, there's NELHA and other areas in the State that maybe that synergy of research and development is in the aquarium for that then we should keep ourselves open to different sites around the State."

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

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

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

"I am speaking in favor. I'm not addressing all of the comments made about the bill itself. I don't know enough about it, but I do support the vision that Chair Ito brought up mainly because I wasn't in favor of the aquarium we built on Maui at the time because I was against 'fish prisons'. But what I found was that the actual opportunities for education, for kids to sleep over and stay there and the educational facility that has become an exciting partnership that Chair Ito has talked about with the University, I think can be quite a learning tool. Not just for tourism, but for kids who don't get into the water and for the wonderful world that is under the water that many people aren't able to access."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Belatti, Evans, Meyer, Morita, Nishimoto, Pine, Saiki, Takai, Takumi, Thielen and Wakai voting no, and with Representatives M. Oshiro and Takamine being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 255) recommending that H.B. No. 436, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 436, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 256) recommending that H.B. No. 537, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 537, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 257) recommending that H.B. No. 327, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 327, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 258) recommending that H.B. No. 329, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 329, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 259) recommending that H.B. No. 667, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 667, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 260) recommending that H.B. No. 997, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 997, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I rise in support of Stand. Com. Rep. No. 260. Mr. Speaker, Kukui Gardens is a large affordable housing complex located on a 22-acres parcel just outside of Chinatown in Palama. Kukui Gardens has 857 affordable units and 2,500 residents. Because the Department of Housing and Urban Development funded the Kukui Gardens complex it must remain affordable for 40 years. That 40 year period ends in 2011. After 2011, there is no legal impediment to raising the rents to market levels or to redeveloping the parcel.

"In early 2006, the current owner of Kukui Gardens put the complex up for sale and found a potential buyer, Carmel Partners. Understandably, the residents of Kukui Gardens are very concerned the potential sale of their homes and have fought to find a buyer who would keep the complex affordable after 2011. In response to these developments, last Session the Legislature passed, and Governor signed a bill giving the State authority to condemn the property.

"Since Act 288 became law, Carmel, the Kukui Gardens Resident Association and Faith Action for Community Equity which has been advocating on the residents' behalf, have reached a tentative compromise. This compromise would save half the complex for affordable housing and provide for the replacement of at least 200 of the lost units. Unfortunately, this would still result in the probable loss of about 200 affordable units, not a desirable result in the current tight rental market.

"To keep the Legislature's options open, I've introduced several bills including this one to try to ensure that the necessary vehicles are available to either accept the tentative compromise or to proceed with condemnation if that is the Legislature and the Governor's decision. Mahalo for your attention, and I respectfully urge passage of HB 997 and the other Kukui Gardens measures."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 997, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KUKUI GARDENS," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 261) recommending that H.B. No. 325, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 325, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 262) recommending that H.B. No. 1283, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1283, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives M. Oshiro and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 263) recommending that H.B. No. 1257, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1257, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"On Standing Committee Rep. 263 with reservations. I just want to again mention that when we pass legislation that deals with penalties and putting people in our correctional facilities, that we should always include an appropriation clause and a statement in there about what the impacts are going to be on our correctional facility system."

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

"I rise in strong reservation in this measure and I would like the words of the Representative from the Big Island as my own. But I also want to add a couple of comments here. The bill says that the purpose of this bill is to provide greater protection to victims of domestic violence. I am not sure at this point what greater protection means, but if you look at the offenses that are described right below in the Standing Committee Report, it also adds terroristic threatening in the first degree. Mr. Speaker, that could be anything."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 264) recommending that H.B. No. 1790, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1790, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 265) recommending that H.B. No. 1048, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1048, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1048, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED CROPS," passed Second Reading and was referred to the Committee on Agriculture with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 702, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 702, HD 1, pass Second Reading and be referred to the Committee on Transportation, seconded by Representative B. Oshiro.

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

"Mr. Speaker, instead of voting no on Second Reading on this measure, I'm voting with reservations and I would like to explain why. As an attorney that practiced environmental and land use law

for twenty years, I often would make sure that the government had to follow the environmental assessment and environmental impact statement procedures, both federally and under State law. I can understand why people are concerned that the Superferry has not been required to do that and I respect that.

"However, my reservations really relate to the carbon emissions from the various forms of transport. These figures may not be precise, but supposedly in passenger miles a plane will emit 290 grams of CO_2 per mile versus a ship emitting only 15 grams of CO_2 per mile. So it's about almost a one to twenty ratio. So your transport by ferry is a far superior means of transport for our island state, and it also helps us reduce global warming and do our part in that international effort.

"But I go back to the concern about the environmental review. Instead of a no vote as I did in the Committee, I am changing it to an aye vote with reservations."

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

"I stand on this measure with reservations. I understand why people are continuing to pursue the discussion on having an environmental impact statement, but I do believe that it may come because people don't have confidence in the Department of Transportation. But from someone who has monthly meetings on a regular basis with the Department of Transportation, the Superferry and the public get together for discussions, I can tell you that the Department and the people from the Superferry are constantly trying to address the concerns. The concerns tend to be fishermen coming to the Big Island, and coming there and fishing. And DOCARE's not there to control the fisheries.

"The other concern is invasive species and transporting invasive species one island or another. And a third one is potentially the hitting of whales. And the dialogue continues on a regular basis. We've been doing this for a couple of years. Constantly, what are we doing, how are we trying to address it, constantly coming up with plans and trying to work with the communities. And that's why I'm with reservations. I'm not sure we need the environmental impact statement."

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

"In strong support. Thank you very much."

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

"I'm rising in opposition to this measure. This is the bill that's referred to as the 'stop the Superferry bill.' I think that Superferry's going to be a wonderful thing for the State of Hawaii, giving our folks a less expensive way to travel between the islands. It will be good for small businesses. It's been a long time in coming and it would be a shame to have something like this stop it. I think that the ferry, we've seen it in the news, they've already got it out of the factory where it's being built. And some of the barges are already here. It's an exciting time for Hawaii."

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 702, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Transportation with Representative Meyer voting no, and with Representatives M. Oshiro and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 1359, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1359, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 267, House Bill 1359, with reservations. And just a heads up for the next Committee, Consumer Protection and Commerce. Take a look at whether or not, when we combine the Medicare Part D program with the Hawaii Rx Plus Program, whether that basically eliminates the possibility for the Department to negotiate with drug manufacturers.

"As you well know, Mr. Speaker, when the Hawaii Rx law, our Plus law passed, it asked the Department of Human Services to negotiate with drug manufacturers for secondary rebates and therefore lowering the cost even more for those in our State who are either uninsured or underinsured for drug coverage. With the Part D, it's a federal program obviously, and it does not allow, it is illegal to negotiate with the drug manufacturers. So when you combine the two, my concern is whether or not that then precludes the Rx Plus side of that new program from negotiating with drug manufacturers. I realize that the new Congress may change that. I'm not holding my breath."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1359, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 1478, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1478, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 1176, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1176, HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 642, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 642, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 271) recommending that H.B. No. 1267, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY SECURITY AND ENERGY EMERGENCY PREPAREDNESS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives M. Oshiro and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 837, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 837, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"I rise in opposition to 272. This would provide the legislative agencies with a normal exemption to exempt them from the procurement code when contracting for studies that come back to the Legislature. It seems fairly innocuous, but what is wrong with this, and why am I voting no is that the CPO, the Chief Procurement Officer, Aaron Fujioka, said that this bill sends a mixed message. And I interpret that to mean that everybody else in the Executive departments and UH, the Judiciary and the counties, you must use the procurement system. But we at the Legislature want to be exempt. I think that is a mixed message. The CPO said that exemptions can be granted expeditiously, on a case-by-case basis. So we don't need this exemption and we don't need this bill."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 837, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Finnegan and Marumoto voting no, and with Representatives M. Oshiro and Takamine being excused.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 1923, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1923, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 1456, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1456, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

"With reservations. I think we're moving forward on some legislation in regards to appropriating money for the tele-psychiatry and that sort of thing and I just want to note my reservations."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on

Consumer Protection & Commerce with Representatives Ching and Meyer voting no, and with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 1698, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1698, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 276) recommending that H.B. No. 385, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 385, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 277) recommending that H.B. No. 485, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 278) recommending that H.B. No. 678, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 678, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives M. Oshiro and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 279) recommending that H.B. No. 1677, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1677, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE SAFETY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives M. Oshiro and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 280) recommending that H.B. No. 1440, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1440, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Legislative Management with Representatives M. Oshiro and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 1324, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1324, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Human Services & Housing with Representatives M. Oshiro and Takamine being excused.

Representatives Yamashita and Chang, for the Committee on Economic Development & Business Concerns and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 1279, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1279, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"With reservations for the same concerns I raised on Stand Com. Rep. 229, House Bill 1268."

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

"This is Stand. Com. Rep. No. 282. Also with reservations. We were in the hearing yesterday and this bill has moving parts. If it is just about encouraging the Employees' Retirement Fund to invest its money in a certain way, then that should be by itself. But there's too many things going on and so we look forward to what the next Committee's going to do."

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

"Also with reservations. I guess the biggest concern I have is that aspect of dealing with the Employee Retirement System. We have a system that we just learned needs billions more in order to meet the needs of our retirees, and yet we have an Executive branch who's wanting to mandate the ERS that they take a sum of money, whether it be $100 million, we heard a lot of debate on $100 million yesterday, Mr. Speaker, and to invest it in a noble cause, but highly risky.

"You talk to any financial advisor and when they get into whether you want to invest in a high-tech start up company, you're looking at a high failure rate. Why would we want to gamble with the retirement money of our retirees and putting it in that kind of investment while at the same time, the same Legislature and this

same government is mandating that the ERS get the money, meet the needs of the retires and meet the reserves that are not yet met. We're running in two different directions. I think we should step out of the picture and let the ERS do what they're supposed to be doing and meet the mandates that we provided."

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

"I rise with reservations to the bill, specifically the first part of the bill that removes the liability from the fiduciaries to do the venture capital type of investment."

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

"In strong support. In the Committee, actually we heard a lot of testimony and one of the things that I think is most attractive about this measure is that what they are saying is absolutely not telling the ERS what to do specifically with their money. It is much more about allowing them to invest in Hawaii companies. And they invest now a portion of their portfolio to mainland companies. In fact, the mainland sometimes invests in our companies.

"So essentially, to boil it down, to distill it down to a simple concept, we all know the concept, 'Buy Hawaii.' Buy Hawaii. We have a choice, Buy Hawaii. And that's what this is asking for. This is asking for if you have a choice and you file very strict prudent measures, the director of DBEDT was very clear on that, that this would not exempt fiduciary responsibility. That if you have a choice to invest, it makes common sense to me."

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

"If I could incorporate the words from the Representative from Liliha in strong support as well. And also just in addition, that is exactly right. We are fearful because we do have an unfunded liability in regards to the ERS and we need to be protective of that Fund. We also have to look at, though, and understand what the proposal is. And I don't believe that it's saying that we're being risky with our money or anything like that. In fact, the ERS does do the same type of due diligence that they do currently in their position. And so we need to understand it.

"Kamehameha was also a testifier in this. And the person that was representing Kamehameha was explaining how it works. And I don't quite understand it fully, but I intend to take this time to make sure that this money is safe, that we're exercising, they will be exercising their fiduciary duties, Mr. Speaker.

"The other parts of the measure, including the Mele program and some of the other things, are very good ideas that should keep on going and that we should still have discussion on. Like I said in an earlier bill, that it takes things that people are working on currently and it puts it together and says we are going to support this for future economic reasons."

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

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

"With strong reservations. I just wanted to make a record of part of this bill about supporting a state operated technology incubator and innovation center in the Kakaako district. Again, my concerns are, I was working with the community and their vision of what should be in Kakaako. And now today we've heard of an aquarium, now we're hearing about this State operated technology incubator, and then we hear about OHA, the Office of Hawaiian Affairs, wanting a facility. So it just seems like we're all over the map. So maybe people are just throwing out, seeing what will stick this year, but I really want the community to weigh in on their vision."

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

"This bill was put on a stretcher and was carried out of Committee yesterday. It was a wounded bill. I rise with reservations. But again, this is a wounded bill and let me tell you why it's wounded. First, $100 million is sort of a nice round figure, but an allocation of this size should be justified. And DBEDT Director, Ted Liu provided no rationale for coming up with this figure. Who's to say $50 million, or a $150 million wouldn't be a more appropriate figure?

"Second, this bill creates a seven member advisory board. And again we are contemplating growing the size of government, when as I mentioned yesterday, the State already has this Hawaii Strategic Development Corporation, which Director Liu admitted yesterday, could administer this investment front or any investment front.

"Third, the bill includes language reducing the fiduciary responsibility of ERS trustees. That is not clear or it's not clear whether the State picks up some of that liability and Mr. Liu has not gotten an AG's opinion on that.

"Fourth, this measure does not require a private sector match. And I think this is the most important part about why this bill is wounded. At minimum, we should require other investors to join us. If it's not good for investment by the private sector and private investors, it's not a good investment for taxpayers. The idea of growing the tech sector is an excellent idea but this bill is not."

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

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

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

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

"I'm rising in support of this bill. I really appreciate the package that the Governor put together and a lot of thought was put into it. I might mention all the testimony yesterday was completely in favor of this. And just on the investment fund part of it, it really seemed clear to me that this is almost just a symbolic gesture more than anything else. They're just recommending that they consider this hundred million that they invest in Hawaii rather than wherever else they may invest. So it's not directing or anything like that. And there has been so much other financial monies put in by Kamehameha Schools and others that have already stepped forward, I think at least we should put a symbolic step forward as well by the State. So I do support this."

Representative Ching rose to respond, stating:

"I'm still in strong support and just to say I think I was in the same meeting. And if I were to characterize the testimony and what I think is first and foremost as the people, I would say some of the brightest minds and some of the most honest testimony were in such strong and overwhelming support. So I guess I was at the same meeting, but maybe you can see an accident and come out with a different interpretation."

Representative Har rose in support of the measure with reservations, and asked that the remarks of Representatives Caldwell

and Wakai be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

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

Representative Finnegan rose to respond, stating:

"Still in strong support. And I also just had one thing to add. In regards to the amount of the $100 million, I believe that that suggestion did not originate from the DBEDT or the Governor's Office. In fact it was this very own body, this State House that had that as a suggestion all throughout last year until the end of Session and at no time did I hear that question come up as to why the significance of the $100 million. So I just wanted to say maybe there is not an answer, and maybe we should ask other people on this Floor as to what that $100 million is for."

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

"I rise with reservations. Very briefly to put on the last comment about the $100 million. It actually wasn't a requirement that the ERS invest the $100 million. It was actually looking at general fund appropriations. And secondly there was a prior comment as to the fiduciary responsibilities. If people would turn to page 21 and page 22 of the bill, it actually does relieve them of that fiduciary responsibility. So that is a primary concern and contrary to what the prior speaker may have said, she was wrong."

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

"With reservation. And some of my comments were already addressed by many of the speakers, but I wanted to just say on page 20, it is not a permissive language. It's a mandatory language. And even if it is a permissive language, what happens when we say the ERS may, or may consider it. The ERS looks at that as almost a mandatory language. If it is permissive language, then we shouldn't even put it in and allow that to be a permissive language.

"As far as other comments about buying local or supporting local companies, well you know it's fine if we're talking about different types of manufacturing goods or we're going out and supporting companies. In this situation, what we're talking about is a retirement system for retirees, and if we are going to jeopardize some of the benefits of the future retirees or present retirees, that's a big problem. The fiduciary responsibility that we need to take major consideration for. And because of these and because of some of the comments made by the previous speakers, I vote with reservations."

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

"With reservations for me. I am concerned about the drawdown, the statutory drawdown of the ERS. But that's one concern that I have. The other concern is this. You know if someone gives me or tells me that I could get $20 million or $10 million or whatever it is to do something, I'm going to gladly come to the table and say sure, give it to me.

"Many of these appropriations or some of these appropriations are going to the University of Hawaii. And that troubles me because if you take a look at the University of Hawaii's budget, let me give you an example. We all know that the UH Medical School's in dire need of additional funds. That's basic support for what we already have. $3 million request and a $4 million request. $7.5 million more they need today to operate the medical school. I think all of you have been visited by people throughout the UH system and there's some unmet needs today that the University is requesting that the Legislature fund. And it troubles me when we have all of these things coming at us in addition over and above the basic needs of an institution like the University of Hawaii. Unmet needs, arts and sciences. I mean we already saw just recently the report on the student housing facilities at Manoa. I don't understand. I don't understand how we can start coming up with these great ideas, $50 million here, $100 million here or whatever, when we can't take care of what we have right now."

Representative Takumi rose to respond, stating:

"Still with reservations. Just in response to the Representative from Maui about the testimonies that were in favor. I know it's very difficult as you read testimonies to kind of decipher their real meaning. Sometimes it gets subtle, sometimes a bit nuanced. When testifiers come before a Committee and say, 'I support the intent of a bill,' well if they supported the bill they would say 'I support the bill.' Good intentions do not necessarily mean good legislation. They're two different animals. And so I support the intent of this measure."

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

"I am standing in support of this measure because I believe there is a collective memory of some of us who were here in the '90s when it was this body that raided statutorily more than what is being asked now for innovation. It was this body that prior to that that's basically bled for decades any investments over 8%. The reason why the ERS is in trouble is because of us. So I don't think we can suddenly turn to the great protectorate of the ERS and not know that the blood on our hands in this body is directly of why it's so difficult.

"And when I hear pleas of individuals saying 'let us protect it,' well, up until a few years ago, we were there bleeding it and we were there robbing it. So now we're going to try to do something innovative and I could see the history that some may have forgotten that they need to remember. Bill moves on to the next Committee."

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

Representative Mizuno rose in support of the measure with reservations, and asked that the remarks of Representatives Takumi, Wakai and Caldwell be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 1003, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1003, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Higher Education with Representatives M. Oshiro and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 900, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 900, entitled: "A BILL FOR AN ACT

RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education with Representatives M. Oshiro and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 1615, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1615, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A SHELLFISH AQUACULTURE INDUSTRY," passed Second Reading and was referred to the Committee on Higher Education with Representatives M. Oshiro and Takamine being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 899, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 899, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," passed Second Reading and was referred to the Committee on Higher Education with Representatives M. Oshiro and Takamine being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 772, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 772, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Transportation with Representatives M. Oshiro and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 1023, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1023, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"With reservations on 288 as well. This constitutional amendment asks that the age to run for Governor and Lieutenant Governor be lowered to the age of 25. I was 25 years old once Mr. Speaker, and when I was 25 years old, I could run fast and I could stay up all night, but I wouldn't trade it for the knowledge that I had when I was 35. And when I look into this room, I don't see anybody here, correct me if you can, who is 24 years old. And I don't think that we're picking that poll from this office."

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

"I'm in support. I just want to share a short story with you folks. I received a phone call and numerous faxes from a young man named Reuben Perez and he wanted me to hear this bill. And I thought at first, 'Gee, I'm not going to pass this bill.' I don't think it's a good idea to change the Constitution for one young man who wants to run for Governor.

"At the urging of my Office Manager, I met with him and we sat down and he brought a handful of young adults with him. They were so excited about this bill and its purpose. I asked them, 'Are you running for Governor?' and he said 'No.' But the group of young people got together and they are trying to get other young people involved in the political process, and this was their idea to get other young adults involved. They feel that they're left out of politics and they don't really have a say in what happens in this building.

"So I was so jazzed when they came and talked to me about this, and encouraged them to talk to the rest of you. And I'll have them come talk to you, and talk to you, and everybody else if at all possible. I'm not optimistic that this is going to pass, but I thought it's a good idea to get these young adults involved. Thank you."

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

"I'm in strong support. I just want to mention to my colleagues that four years ago when I got elected, next to me was a young lady who was 20 years old that was elected. I was astonished by her abilities and her common sense. She represented her district extremely well. I think this is a wonderful idea.

"People can start to vote at 18. People can go to the war and fight for us at 18. I think there are many people capable and we have to remember it's up to the public to choose who represents them. So, I don't see this as a bad thing at all. Thank you."

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

"Thank you, Mr. Speaker. I'm in support. Just to comment as the mother of Kids Voting, I would like to thank the Judiciary Chair for his willingness to consider the voice of youth and to stretch the possibilities. Thank you."

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

"Mr. Speaker. I'm sorry. I know we don't have much time, but I'd like to speak in support as a grandmother. It reminded me of a quote that I once heard and that is, 'From the mouths of babes oft time come gems,' and we should remember that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1023, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," passed Second Reading and was referred to the Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 1239, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the

Committee on Finance with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 1798, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1798, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 1453, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1453, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in serious reservations of 291. These are the genetically modified things that we all eat, whether we know it or not, or like it or not. And this bill says anyone who is creative or innovative is going to have to report to 'Big Brother' which is okay. But it says they have to get a certificate of approval, and I think that's going a bit too far.

"I think it's going to stifle the innovative and creative things of our farmers. And for those us who realize, I think on Kauai there is 80 percent of all of the corn or the seeds for the corn growing in America. And there are things that are already being done by the Department of Agriculture, the federal monitoring, the United Nations monitoring. And I must say, Mr. Speaker, this is more like the bill that would come out of a European Parliament because of the fear of the American agriculture and its prolific ability to produce.

"So, I think we're over reacting and my reservation is, in the bill it says they can notify, but I think notifying and getting a certificate of approval is reacting in the same spirit that we used to put out so much money and fear into the public about Y2K, and then suddenly after Y2K nothing happened. We have to be cautious, but let's not overly engineer it with fear. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support of this measure. I just want to bring to the body's attention that several days ago, there was a federal court decision broadly affecting field trials of genetically engineered crops, where the judge ruled that the USDA must halt approval on all new field trials until more rigorous environmental reviews are conducted.

"There are a lot of uncertainties about this type of science, and the federal court, in its judgment, has ruled that the public health and safety, and the environment are at risk mainly because of poor regulatory oversight. Thank you."

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

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

"Yes, because of my faith in the federal government, I want to vote with reservations, please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1453, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," passed Second Reading and was referred to the Committee on Agriculture with Representative Marumoto voting no, and with Representatives M. Oshiro and Takamine being excused.

At 1:52 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:57 o'clock p.m.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 877, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Health for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was adopted, passed, and recommitted to the Committee on Health for further consideration, with Representatives Marumoto, Meyer, Nakasone, M. Oshiro, Saiki and Takamine being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 1547, as amended in HD 1, be adopted, passed, and recommitted to the Committee on International Affairs for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1547, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," was adopted, passed, and recommitted to the Committee on International Affairs for further consideration, with Representatives Marumoto, Meyer, Nakasone, M. Oshiro, Saiki and Takamine being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Meyer, Nakasone, M. Oshiro, Saiki and Takamine were excused.)

At 1:59 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:01 o'clock p.m.

THIRD READING

H.B. No. 1073:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1073, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 46 ayes, with Representatives Belatti, Meyer, M. Oshiro, Saiki and Takamine being excused.

At 2:01 o'clock p.m., the Chair noted that H.B. No. 1073 passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 23 and 24) and concurrent resolutions (H.C.R. Nos. 39 and 40) were referred to Printing and further action was deferred:

H.R. No. 23, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, USING UNIVERSITY PERSONNEL AND RESOURCES AND PRIVATE CONSULTANTS AS NECESSARY, TO IMMEDIATELY UNDERTAKE PLANS TO BUILD A NEW STADIUM NEAR THE UNIVERSITY OF HAWAII WEST OAHU CAMPUS, DEMOLISH ALOHA STADIUM, AND PLAN FOR A PREDOMINANTLY LOW- AND MODERATE-INCOME HOUSING DEVELOPMENT, MIXED USES, AND A MASS TRANSIT STATION AT THE SITE OF THE ALOHA STADIUM," was jointly offered by Representatives Takai, Brower, Luke, B. Oshiro, Saiki and Takumi.

H.R. No. 24, entitled: "HOUSE RESOLUTION RELATING TO THE ESTABLISHMENT OF A "STATE OF HAWAII WORLD TRADE CENTER, HONOLULU"," was jointly offered by Representatives Karamatsu, Green, Hanohano, Har, Lee, Manahan, Mizuno, Brower, Carroll, Chong, M. Oshiro, Shimabukuro, Souki, Waters, Yamane and Yamashita.

H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, USING UNIVERSITY PERSONNEL AND RESOURCES AND PRIVATE CONSULTANTS AS NECESSARY, TO IMMEDIATELY UNDERTAKE PLANS TO BUILD A NEW STADIUM NEAR THE UNIVERSITY OF HAWAII WEST OAHU CAMPUS, DEMOLISH ALOHA STADIUM, AND PLAN FOR A PREDOMINANTLY LOW- AND MODERATE-INCOME HOUSING DEVELOPMENT, MIXED USES, AND A MASS TRANSIT STATION AT THE SITE OF THE ALOHA STADIUM," was jointly offered by Representatives Takai, Brower, Luke, B. Oshiro, Saiki and Takumi.

H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A "STATE OF HAWAII WORLD TRADE CENTER, HONOLULU"," was jointly offered by Representatives Karamatsu, Chang, Evans, Green, Hanohano, Har, Lee, Magaoay, Manahan, Mizuno, Sagum, Takai, Brower, Carroll, Chong, Ito, Luke, M. Oshiro, Shimabukuro, Souki, Waters, Yamane and Yamashita.

ANNOUNCEMENTS

Representative Tokioka announced that the Committee on Legislative Management will be conducting a public hearing at 2:00 p.m. in Conference Room 423 with decision making to follow.

The Chair then made the following announcements regarding Committee public hearings:

The Committee on Judiciary today at 2:05 p.m. in Conference Room 325.

The Committee on Economic Development and Business Concerns on Saturday, February 10 at 8:30 a.m., in Conference Room 325.

The Committee on Agriculture, Saturday, February 10 at 10:30 a.m. in Conference Room 329.

The Committee on Human Services and Housing and Committee on Health on Monday, February 12 at 8:30 a.m. in Conference Room 329.

The Committee on Human Services and Housing and Committee on Health, again at 8:31 a.m.

The Committee on Human Services and Housing, again on HB 1001 at 8:32 a.m.

The Committee on Transportation Monday, February 12, at 9:00 a.m., Conference Room 309.

The Committee on Water, Land, Ocean Resources and Hawaiian Affairs Monday, February 12 at 9:00 a.m., Room 312.

The Committee Water, Land Use, Ocean Resources and Hawaiian Affairs, Monday February 12 at 9:30.

Representative Chong: "Thank you, Mr. Speaker. Your Committee on Water, Land, Ocean Resources and Hawaiian Affairs will be voting immediately after session on the 9:00 and 9:30 a.m. agendas. Thank you."

Representative Mizuno: "Thank you, Mr. Chair. Our colleague, Josh Green, will be celebrating his 37th birthday this Sunday. Thank you, Mr. Speaker."

Representative Magaoay: "Thank you, Mr. Speaker. I'd like to ask the 15 members of the Filipino Caucus to stay for about five minutes for picture taking right after the session adjourns. Thank you."

ADJOURNMENT

At 2:05 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 12, 2007. (Representatives Belatti, Meyer, M. Oshiro, Saiki and Takamine were excused.)

SEVENTEENTH DAY

Monday, February 12, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Kat Brady, after which the Roll was called showing all members present with the exception of Representatives Takamine and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 261 through 264) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 261, dated February 7, 2007, transmitting the Department of Agriculture's report Relating to Diversified Agriculture Industry: Co-Existence of Organic, Conventional, and Biotechnology Farming Methods.

Gov. Msg. No. 262, dated January 31, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report of the State Fire Council.

Gov. Msg. No. 263, dated January 31, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report of the Work-Family Task Force.

Gov. Msg. No. 264, dated January 30, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on the Hawaii Employers that have Developed and Implemented Policies for Reducing Workplace Bullying.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 12 through 14) were received and announced by the Clerk:

Sen. Com. No. 12, transmitting S.B. No. 149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on February 9, 2007.

Sen. Com. No. 13, transmitting S.B. No. 1083, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," which passed Third Reading in the Senate on February 9, 2007.

Sen. Com. No. 14, transmitting S.B. No. 1084, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," which passed Third Reading in the Senate on February 9, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representative Thielen was excused.)

S.B. No. 149, SD 1
S.B. No. 1083, SD 1
S.B. No. 1084, SD 1

INTRODUCTIONS

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

Representative Cabanilla introduced Mr. Fernando Brugman, United Nations Educational Scientific Organization (UNESCO); Mr. Cliff Goulet, US State Department; and Ms. Teresita Bernales, Pacific Asian Affairs Council.

Representative Cabanilla also introduced Ms. Stephanie McCandless Reford, President/CEO McCandless Reford International; and Ms. Mimi Makward, Associate, Hawaii Global Youth Center.

Representative Hanohano introduced Hawaii County Councilwoman Emily Naeole and office manager Ms. Babara Hale from the Big Island.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution and concurrent resolutions were referred to committee by the Speaker:

H.R. No.	Referred to:
23	Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

H.C.R. Nos.	Referred to:
38	Committee on International Affairs
39	Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
618	Committee on Education, then to the Committee on Public Safety & Military Affairs
840	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
950	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
958, SD1	Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
1531, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
869	Committee on Energy & Environmental Protection, then to the Committee on Finance
900	Committee on Agriculture, then to the Committee on Finance
1105, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1555, HD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance
1577, HD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1609	Committee on Transportation, then to the Committee on Judiciary
1704	Committee on Health, then to the Committee on Finance
1718, HD1	Committee on Transportation, then to the Committee on Tourism & Culture, then to the Committee on Finance
1725	Committee on Health, then to the Committee on Judiciary
1866, HD1	Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1868, HD1	Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 1154, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1154, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 291, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 1533, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1533, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 993, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 993, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFORMANCE ARTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Yamane and Tsuji, for the Committee on Tourism & Culture and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 1735, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1735, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO COMMEMORATE THE CONTRIBUTIONS OF HAWAII'S RANCHING COMMUNITY," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 1374, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Energy & Environmental Protection, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 724, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 724, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker. On Stand. Com. Rep. No. 299, I'm in support. When I worked for Representative Lee, I was pretty heavily involved with the drafting of the bills that made the surcharge possible. The intent was never to make money for the State, but it was to help build the rail system. And, if we're talking about $5 million or $6 million here, that will help build the rail system, especially over a 15 year period, so I hope that we move this bill forward. Mahalo."

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

"Mr. Speaker, I rise with mild support. This bill is better than the other one in that it cuts down from 10 percent down to five percent. But in the Finance Committee we heard that it's only $2 million per year that it takes to actually collect this money and we're actually collecting more than we need by double. So, we've gone to better, but I think we can do even much better than we've done here. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 724, entitled: "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE TAX," passed Second Reading and

was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 1414, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1414, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1605, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1605, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with some reservations on this measure. This is a bill to create a Maui traffic control center. My reservations are the Department of Transportation was in opposition and I'm not sure what this will cost. Thank you."

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

"Thank you very much. I rise in support, Mr. Speaker. For the clarifications of the previous speaker, the Department of Transportation did support the bill, however, they felt that we need to plan for an ITS, intelligence traffic system first. That would be the fiber-optic, the cameras and such. And by developing such a plan, they could then go to the federal government and get federal money for the project. Their concern was that by building the Traffic Control Center first, without the outlying infrastructure, that we wouldn't get federal funds and that we would be putting the cart before the horse. So, I hope we can get your support on this. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1605, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 1012, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1012, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 303) recommending that H.B. No. 1291, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1291, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 247, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 247, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising on 304. With reservations. The representative from the Employees' Retirement System testified that he felt that this would create a fairly large administrative problem. And also the unfunded liability, which has grown by $1 billion, just from 2005 to 2006 could be negatively impacted, as well. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 247, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 964, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 586, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 586, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 307) recommending that H.B. No. 1013, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1013, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPERIENTIAL LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 1211, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

At 12:20 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 1258, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1258, entitled: "A BILL FOR AN ACT RELATING TO ACTIONS FOR FALSE CLAIMS TO THE STATE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 1746, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1746, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, we should go back to Stand. Com. Rep. No. 310. This is relating to Voluntary Employees' Beneficiary Association Trust, the VEBA Trust. This is going to extend the date that was set, I guess, in 2005. It's a pilot program. I don't have the bill with me today, but it seems to me it extends it out. I don't want to say it's about ten years. It's quite a long ways.

"There's still the problem of adverse selection. The bill in the Committee Report talks about cost savings. I think we will have the opposite effect, but it also doesn't ask for any reporting. The original pilot program asks for reporting, but because of problems with HSTA, it was slow to get started, so obviously there's been no reporting. It's barely started. But I do have reservations about extending the date out as far as we have. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 859, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 859, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. The biggest problem in Committee was that most employers felt that it took away the powers of the employers. We're talking the counties and State. I have strong reservations."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 859, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 34, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 34, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Very brief comment in support. This bill has to do with divesting Hawaii's ERS dollars from Darfur where there is just a catastrophic amount of human loss and tragedy going on. We may not have a lot of money invested in that region. Whatever we can do as a message or a symbol for the rest of the country, I think we should do and divest from that country. I think that any contribution we make monetarily there, will only make matters worse, so, thank you for considering this Members."

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

"Mr. Speaker, I just want to add a little bit of up-to-date information on that effort. I'm standing in support. I just wanted to state that the Sudanese Government has purchased advanced Phantom Jet fighters and high attack helicopters from Russia. The same as seen in the movie, *Rambo III*, and they're going to use these fighter planes to bomb villages and kill men, women and children with complete disregard to human rights and international law. I ask my colleagues to support this measure. I have some drawings in my office drawn by children whose families were killed by these atrocities, and I invite my colleagues to come and see those pictures that were drawn by these children. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 102, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 102, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO HUMAN SERVICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 863, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 863, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I register a no vote on Stand Com. Report 314. This would allow the prevailing wage law to control private projects, not public works. Thank you."

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

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

"Mr. Speaker, I also rise in opposition to this measure. There should be a separation between the private and the public sector. This is a big intrusion into private contracts. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 863, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," was referred to the Committee on Finance with Representatives Ching, Marumoto, Meyer and Ward voting no, and with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 1931, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1931, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Yamashita and Yamane, for the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 1018, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 1105, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1105, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration, with Representative Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representative Thielen was excused.)

THIRD READING

H.B. No. 319, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 319, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Meyer voting no, and with Representative Thielen being excused.

At 12:28 o'clock p.m., the Chair noted that H.B. No. 319, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 25) and concurrent resolutions (H.C.R. Nos. 41 through 43) were referred to Printing and further action was deferred:

H.R. No. 25, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII DO A STUDY TO DETERMINE THE FEASIBILITY OF DEMOLISHING ALOHA STADIUM AND CONSTRUCTING A NEW STADIUM ON OAHU," was jointly offered by Representatives Yamane, Chang, Herkes, Manahan and Yamashita.

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII DO A STUDY TO DETERMINE THE FEASIBILITY OF DEMOLISHING ALOHA STADIUM AND CONSTRUCTING A NEW STADIUM ON OAHU," was jointly offered by Representatives Yamane, Chang, Herkes, Manahan and Yamashita.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED NATIONS TO RECOGNIZE BY GENERAL ASSEMBLY RESOLUTION THE MILLIONS OF LEGALLY UNREGISTERED CHILDREN IN THE PEOPLE'S REPUBLIC OF CHINA KNOWN AS THE HEI HAIZI," was offered by Representative Cabanilla.

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S SPECIAL EDUCATION PROGRAM," was offered by Representative Waters.

ANNOUNCEMENTS

Representative Herkes announced that the Committee on Consumer Protection and Commerce will be conducting a public

hearing at 2:00 p.m., with decision making to follow; and a joint hearing for decision making only with Public Safety and Military Affairs as soon as there is a quorum of these Committees.

Representative Yamane for the Committee on Tourism and Culture requested a waiver of the 48-hour advanced notice requirement to hear the following bills on Wednesday, February 14 and 8:30 a.m., and the Chair "so ordered."

HB 1555 Relating to Tax Credits,
HB 1718 Relating to Cruiseline Industry,
HB 712 Relating to Tourism,
HB 1017 Relating to Hawaii Tourism Authority, and
HB 1020 Relating to Tourism Workforce Development.

Representative Mizuno for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear HB 206 Relating to Developmental Disabilities, and HB 877 Relating to Health on Tuesday, February 13 at 8:30 a.m. in Conference Room 329; and HB 1466 to be heard at 5:00 p.m., on Tuesday, February 13, in Conference Room 329, and the Chair "so ordered."

Representative Yamashita: "Thank you, Mr. Speaker. Your Committee on Economic Development and Business Concerns will conclude its morning agenda in Room 325, with decision ma king to follow. Thank you."

Representative Souki for the Committee on Transportation requested a waiver of the 48-hour advanced notice requirement to hear HB 1609 Relating to Highways, and decision making only on HB 349 Relating to Regulation of Bicycle Tours on Wednesday, February 14, in Conference Room 309.

Representative Chong: "Thank you, Mr. Speaker. Your Committee on Water, Land, Ocean Resources and Hawaiian Affairs will reconvene its morning agenda in Conference Room 312 at 1:00."

The Chair then announced public hearings for the following Committees:

The Committee on Education and the Committee on Labor and Public Employment for 2:00 p.m. this afternoon.

The Committee on Energy and Environmental Protection for Tuesday, 8:00 a.m. in Conference Room 312.

The Committee on Health and the Committee on Human Service and Housing, Tuesday, February 13, 8:30, Conference Room 329.

The Committee on Agriculture and the Committee on Economic Development and Business Concerns on Tuesday, February 13, 10:00 a.m., Conference Room 325.

The Committee on Agriculture and the Committee and Economic Development and Business Concerns for decision making.

The Committee on Labor and Public Employment on February 13, 8:30, Conference Room 309.

Representative Tokioka: "Thank you, Mr. Speaker. It gives me great pleasure to announce *Hau`oli la hanau* to one of our colleagues. This past weekend Representative Sagum celebrated his birthday. I want to congratulate Roland, wish him a happy birthday and extend best wishes from the entire body. Thank you, Mr. Speaker."

ADJOURNMENT

At 12:33 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 13, 2007. (Representatives Saiki and Thielen were excused.)

EIGHTEENTH DAY

Tuesday, February 13, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Jonathan Ramil, legislative aide to Representative Magaoay, after which the Roll was called showing all members present with the exception of Representatives Takamine and Thielen, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 265) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 265, transmitting S.B. No. 638, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
February 12, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 638

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 638, entitled "A Bill for an Act Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, and the Ombudsman."

This bill appropriates moneys for session and nonsession expenses of both houses of the Legislature for the period up to and including June 30, 2008, including but not limited to, the 2007 regular session, and pre-session expenses and the expenses of any committee or committees established during the interim between the 2007 and 2008 regular sessions; for the expenses of the Legislative Auditor, the State Ethics Commission, the Legislative Reference Bureau, and the Office of the Ombudsman for fiscal year 2007-2008; and for defraying expenses of the legislative information system and the legislative broadcast program.

The general fund expenditure ceiling for fiscal year 2006-2007 was exceeded by Act 246, Session Laws of Hawaii 2006.

A portion of the moneys appropriated by this bill is for fiscal year 2006-2007. Section 9 of Article VII of the State Constitution provides in part: "No appropriations in excess of [the general fund expenditure] ceiling shall be authorized during any legislative session unless the legislature shall, by a two-thirds vote of the members to which each house of the legislature is entitled, set forth the dollar amount and the rate by which the ceiling will be exceeded and the reasons therefor." This bill does not contain the legislative declaration required by Section 9 of Article VII of the State Constitution, and is therefore invalid.

For the foregoing reason, I am returning Senate Bill No. 638 without my approval.

Respectfully,
/s/Linda Lingle

LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 15 through 20) were received and announced by the Clerk:

Sen. Com. No. 15, transmitting S.B. No. 25, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," which passed Third Reading in the Senate on February 12, 2007.

Sen. Com. No. 16, transmitting S.B. No. 95, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VACANT POSITIONS IN THE DEPARTMENT OF EDUCATION," which passed Third Reading in the Senate on February 12, 2007.

Sen. Com. No. 17, transmitting S.B. No. 246, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," which passed Third Reading in the Senate on February 12, 2007.

Sen. Com. No. 18, transmitting S.B. No. 849, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF PLANNING," which passed Third Reading in the Senate on February 12, 2007.

Sen. Com. No. 19, transmitting S.B. No. 1540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES," which passed Third Reading in the Senate on February 12, 2007.

Sen. Com. No. 20, transmitting S.B. No. 1968, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," which passed Third Reading in the Senate on February 12, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Takamine and Thielen were excused.)

S.B. No. 25, SD 1	S.B. No. 849
S.B. No. 95, SD 1	S.B. No. 1540, SD 1
S.B. No. 246	S.B. No. 1968

The Chair then announced:

"Members, at this time the Chair hereby refers S.B. No. 26, SD 1 to the Committee on Finance."

At 12:11 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:11 o'clock p.m.

The Chair then announced:

"The Chair stands corrected. If you look at the Senate Communications, it is S.B. No 25, SD 1. The Chair earlier stated it was S.B. No. 26. It should be S.B. No. 25 as shown on the Order of the Day."

INTRODUCTIONS

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

Representative Magaoay introduced his legislative aide, Mr. Jonathan Ramil who delivered the day's invocation. He was accompanied by his parents, Retired Supreme Court Justice Mario Ramil and Mrs. Judy Ramil.

Representative Magaoay also introduced his staff, office manager, Mr. Larry Sagaysay, Ms. Dede Alo, and Ms. Judy Fomin.

Representative Cabanilla introduced Dr. Andrea G. Barthwell, member of the Board of Directors of Hythiam, Inc., and Mr. James Dorsey, Managing Director of Island Recovery Centers.

Representative Takumi introduced members of the Kyoto YWCA in Japan.

Representative Caldwell recognized 3rd grade students from Noelani Elementary School, accompanied by teacher, Mrs. Carolyn Ching; skills trainer, Ms. Kim Ballas; parent chaperones, Mrs. Cindy Hayakawa, Mrs. Kristen, Mr. Kerns, Mrs. Sharon Kunihisa, Mr. Eric Funazaki, Mr. Tom Weber, and Dr. Pat Tschida.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
24	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
25	Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

H.C.R. Nos.	Referred to:
40	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
41	Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
42	Committee on International Affairs
43	Committee on Education, then to the Committee on Legislative Management

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
25, SD1	Committee on Finance
95, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
149, SD1	Committee on Finance
246	Committee on Transportation
849	Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
1083, SD1	Committee on Legislative Management, then to the Committee on Finance
1084, SD1	Committee on Legislative Management, then to the Committee on Finance
1540, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1968	Committee on Public Safety & Military Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
194	Committee on Higher Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
522, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
590	Committee on Health, then to the Committee on Finance
646, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
654	Committee on Judiciary, then to the Committee on Finance
693, HD1	Committee on Agriculture, then to the Committee on Finance
714	Committee on Transportation, then to the Committee on Judiciary
899	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance
978	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1283, HD1	Committee on Human Services & Housing, then to the Committee on Finance
1368	Committee on Health, then to the Committee on Finance
1433	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1615	Committee on Agriculture, then to the Committee on Finance
1699, HD1	Committee on Health, then to the Committee on Finance

1734, HD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 318) recommending that H.B. No. 1370, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1370, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 1377, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1377, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1377, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 1378, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1378, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 321) recommending that H.B. No. 225, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 225, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 225, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Chang and Shimabukuro, for the Committee on Higher Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 814, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 814, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Sonson and Magaoay, for the Committee on Labor & Public Employment and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 323) recommending that H.B. No. 391, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 391, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I will be voting with reservations. I actually voted no in the Committee, but being that the Judiciary is going to hear it next, I decided to go with reservations. And some of my concerns were from the Attorney General's opinion. But before I go to that, one of the concerns that I have on this is just that it does not comply with the due process requirements for confiscating salaries. Who or what determines that a superior coerced a subordinate? How do you come to that determination would prevent the department heads from ensuring the deputy testified about department policy rather than personal views, and would harm the State by forcing, divulging pending or contemplated litigation.

"So, as we look at this in the future Committee I ask that we take these concerns into consideration and be able to craft a bill that might be able to get to the good intention of the bill. Thank you,"

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

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

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

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

"Mr. Speaker, I rise in strong support. Mr. Speaker, this is a fantastic bill that allows public employees to weigh in on the decision making process here in the Legislature. This bill would not compel or censure anyone for coming forward and stating a position of fact on any measure that we would be considering at this Session.

"It will not cause the divulgement of any material being considered by the Executive Branch on their policy. It will not force the Executive Branch to appoint a certain person and articulate a certain policy. What this bill simply does is track federal law that's in place and has been in place, Mr. Speaker, since 1912 under Presidents Theodore Roosevelt and Howard Taft. There is nothing new on the federal books. Mr. Speaker, it's just never been ruled unconstitutional or an abridgment of the separation of powers between the Executive Branch and the Legislative Branch.

"And so, I think this fantastic bill should be moved forward to the next Committee for further work. Thank you, Mr. Speaker."

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

"Yes, Mr. Speaker, I speak with reservations, strong reservations on this bill. I believe it's redundant and I don't believe we need this bill. Thank you very much."

Representative Ward rose, stating:

"Mr. Speaker, with your permission, I would like to ask the Chair of Finance if this includes us as the State employees who if we do that, will we also be liable under this. That's the question."

The Chair addressed Representative M. Oshiro, stating:

"Representative Marcus Oshiro, would you yield to the question of Representative Ward at this time? Or would you like to call a short recess?"

At 12:22 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:26 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 391, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INQUIRIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Souki and Evans, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 1608, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1608, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 894, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 1175, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1175, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 1428, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Yamane and Evans, for the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 575, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Chang and Yamashita, for the Committee on Higher Education and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 329) recommending that H.B. No. 180, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 180, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 330) recommending that H.B. No. 1278, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1278, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 331) recommending that H.B. No. 1289, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1289, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 332)

recommending that H.B. No. 668, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 333) recommending that H.B. No. 666, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 666, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. This is one of the other bills I spoke about on Friday that has to do with the possible funding of the purchase of Kukui Gardens. We've been keeping as many options open as possible. As I mentioned before, there's a compromise on the table, but it may end up being that eminent domain is the way that this body, the Senate and the Governor decide to go. This bill would also put the legislative groundwork in place to make that happen. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 334) recommending that H.B. No. 320, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 320, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 835, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 835, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 487, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 426, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 426, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 338) recommending that H.B. No. 528, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 528, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 1912, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1912, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIODIESEL PROJECTS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 1307, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1307, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 341) recommending that H.B. No. 312, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com.

Rep. No. 342) recommending that H.B. No. 1277, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1277, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 343) recommending that H.B. No. 1753, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1753, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 1755, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 1854, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1854, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MARKETS TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 346) recommending that H.B. No. 1879, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1879, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 347) recommending that H.B. No. 861, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 348) recommending that H.B. No. 1081, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.B. No. 861 and H.B. No. 1081, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.B. No. 861, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Takamine and Thielen being excused; and

H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 349) recommending that H.B. No. 618, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 618, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like a ruling on a potential conflict. I am a member of the Hawaii Army National Guard."

The Chair then ruled:

"No conflict because these are members of this particular class of Guard."

Representative Takai continued in support of the measure, stating:

"I'd like to speak briefly on this measure. Thank you, Mr. Speaker. In support. When on active duty in 2005, I had an opportunity to serve as the casualty assistance officer for Sgt. Deyson Cariaga's family. He was the first and only Hawaii Army National Guard soldier to be lost in Iraq. This bill, HB 618, not only sets up a Life Insurance Reimbursement Special Fund, but from my perspective, and more importantly, it sets up the Sergeant Deyson Cariaga Service Members Life Insurance Reimbursement Special Fund and it's in honor of him, Mr. Speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 350) recommending that H.B. No. 522, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Consumer Protection & Commerce for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 522, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL CARS," was adopted, passed, and recommitted to the Committee on Consumer Protection & Commerce for further consideration, with Representatives Takamine and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 351) recommending that H.B. No. 693, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Agriculture for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 693, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was adopted, passed, and recommitted to the Committee on Agriculture for further consideration, with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 646, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Energy & Environmental Protection for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was adopted, passed, and recommitted to the Committee on Energy & Environmental Protection for further consideration, with Representatives Takamine and Thielen being excused.

ANNOUNCEMENTS

Representative Herkes for the Committee on Consumer Protection and Commerce requested a waiver of the 48-hour advanced notice requirement to hear HB 522 Relating to Rental Cars tomorrow at 2:00 p.m. in Conference Room 325, with decision making to follow, and the Chair "so ordered."

Speaker Say: "In the essence of time, the Chair would like all of you to look at pages A to Q on your Order of the Day for your respective Committee hearings."

Representative Mizuno for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear HB No. 1514 Relating to Taxation on Thursday, February 15 at 8:30 a.m. in Conference Room 329, and the Chair "so ordered."

Representative Shimabukuro: "Mr. Speaker, I would like to invite all Members to a reception the Legal Aid Society of Hawaii is going to have today at 4:30 in Room 329."

Representative Brower for the Committee on Agriculture requested a waiver of the 48-hour advanced notice requirement to hear HB No. 1793 Relating to Agriculture on the Ewa Plain on Wednesday, for decision making at 1:30 in Room 312, and the Chair "so ordered."

Representative Brower: "In addition, Mr. Speaker, a reminder to all those in the Committee on Agriculture and Committee on Economic Development and Business Concerns that we're going to continue with our earlier meeting today after session in Room 325 for decision making only."

Representative Chong for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement to hear the following bills with decision making to follow, and the Chair "so ordered."

HB 1832 Relating to Outdoor Advertising,
HB 278 Relating to Animal Cruelty,
HB 1831 Relating to Game Management Areas,
HB 260 Relating to Appraisals of Research Value Lands,
HB 150 HD 1, Relating to Housing,
HB 1737 Relating to Land Use,
HB 416 Relating to Airports, and
HB 1499 Relating to Ocean Resources.

At 12:34 o'clock p.m., Representative Magaoay requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

Representative Bertram: "Thank you, Mr. Speaker. We will be having a medical marijuana question and answer session. That will be tomorrow morning at 9:00 a.m. in Room 437. Mr. Brian Murphy, who is the head of Patients Without Time, an advocacy group from Maui, will be there to answer any questions. There will be free samples."

Representative Souki for the Committee on Transportation requested a waiver of the 48-hour advanced notice requirement to hear HB 714 Relating to Emergency Vehicles at 9:00 a.m. tomorrow in Conference Room 309, and the Chair "so ordered."

Representative Sonson: "Thank you, Speaker. I would like to announce that the Committee on Public Safety and Military Affairs and the Committee on Labor and Public Employment will reconvene at 1:45 in Conference Room 329 for decision making only on one bill. Also, we will be continuing with the Labor Committee only for decision making for all the bills we heard today and last Friday."

ADJOURNMENT

At 12:37 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 14, 2007. (Representative Thielen was excused.)

NINETEENTH DAY

Wednesday, February 14, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Father James Amakatt of St. Anthony Church, after which the Roll was called showing all members present with the exception of Representative Chang, who was excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 266) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 266, dated February 12, 2007, transmitting the Department of Public Safety Annual Report on the Status of the Federal Reimbursement Maximization Special Fund.

INTRODUCTIONS

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

Representative Rhoads introduced Dr. Loretta Reid of Chicago, Illinois and wished her a happy birthday. Representative Rhoads also recognized her son, Mr. Paul Reid of the House Sergeant-at-Arms Office.

Representative Manahan introduced friends from the 29th District, Mr. Marcy Valasco, Mr. Joe Dumayag, and Mr. and Mrs. Ancheta.

Representative Meyer introduced her legislative aide, Mr. Jim Henshaw.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
1, HD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
1453, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
1756	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 1504, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BLIND PERSONS' AND LITERACY RIGHTS AND EDUCATION ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 1014, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1014, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 572, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 572, HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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

"Mr. Speaker, please excuse my voice. I've been home sick for a couple of days, but I'm not contagious now. Thank you, Mr. Speaker. I'm voting against the bill, Mr. Speaker. My concern is that the bill could actually legalize illegal transient vacation rentals. The problem with those, in my district at least, is that it's really destroyed many residential areas when we had mainland owners of TVUs and no one on site, and just a lot of misuse in the neighborhood."

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 572, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representative Thielen voting no, and with Representatives Chang and Souki being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 356)

recommending that H.B. No. 659, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang and Souki being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 567, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR SPORTS FACILITY," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 1471, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1471, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 359) recommending that H.B. No. 1787, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1787, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 90, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 90, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 93, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 93, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 1087, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1087, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Chang and Souki being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 834, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 834, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 360, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 1044, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Shimabukuro and Ito, for the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 185, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 185, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 1007, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1007, entitled: "A BILL FOR AN ACT

RELATING TO FAMILY SELF-SUFFICIENCY," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 710, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 710, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSEHOLD RENTERS' TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 709, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 948, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 1839, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1839, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 1950, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1950, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Chang and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 506, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 506, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 791, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 1628, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1628, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 1616, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1616, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 1219, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1219, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF AGRICULTURE LOANS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No. 337, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 401, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 401, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 404, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 406, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representatives Cabanilla and Yamashita, for the Committee on International Affairs and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 30, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 30, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in opposition to Stand. Com. 382. A horse is a camel designed by a committee. Mr. Speaker, I think when we get the Legislature involved in sanctioning International Trade Agreements, I think it's going to muck up the works with political and other considerations rather than pure trade. As an isolated island, we need all the trade we can get, and this bill, I think, is going to scare people away rather than bring them towards us.

"Also, the greatest trade getter we have, this bill ties her hands. I don't think I have to refer specifically to who 'her' refers to because it means that we're taking stuff away from her department and herself. Thank you, Mr. Speaker."

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

"Mr. Speaker, in favor. I respectfully disagree with my colleague from Hawaii Kai about this matter. This bill was introduced last year and I have made substantial changes with that bill. As a matter of fact, even at the risk of not concurring with the introducer of the bill. But as far as tying up the Governor's hands, that's what I disagree on.

"I made a provision that in between Sessions, that there is a Committee that will make this recommendation to the Governor. And while we are in Session, as you know, Mr. Speaker, it will require the consent of both houses without the measure.

"And as you know, International Agreements require that the State must agree. So, with those, Mr. Speaker, I urge that this measure be moved forward. Thank you."

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

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

"Mr. Speaker, I must regretfully vote no on this measure only because the Legislature meets once a year, and sometimes you need timely approval of these Agreements. If you have to wait until several months, it may slow things down. Thank you."

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

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

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

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

"Mr. Speaker, I have reservations on this bill. For the edification and the awareness of those who are not supporting the bill, I share your concerns, obviously. The way this bill is currently worded, it simply says that the Governor shall not enter into any International Trade Agreement without State approval.

"Governors have no standing when it comes to International Trade Agreements. They only have standing as it relates to the procurement section of any International Trade Agreement. We obviously do not engage. That is a role for the federal government. The way the current bill is worded, it assumes we do have a role to play in International Trade Agreements in total, and we certainly do not.

"Let me address the concerns about the procurement section. As you are well aware, Mr. Speaker, we passed a bill last year, the Governor vetoed that bill, asserting that it took away her authority. I think the Legislature's intent is that Governors in all fifty states have absolutely no authority over procurement. After all, Mr. Speaker, we see a whole range of procurement bills that hit the Floor every Session, whether we need to use paper with 10% recycle content, whether or not we're going to give a preference for local contractors, and so on and so forth. That is not something the Governor, any Governor, can do by Executive Order. That is something that has to be done by statute.

"The original bill struck at the heart of that issue. When the Governor signed on to CAFTA, essentially, what the Governor did was to say to the US Trade Representative, you can negotiate a Trade Agreement under CAFTA and anything related to procurement in that trade agreement, the State of Hawaii will abide by. Mr. Speaker, envision if a Central American country uses child labor, and I hope most of us here believe that using child labor in factories is not permissable and is not something the State of Hawaii should be party to. By signing, in affect to CAFTA, we have agreed to that.

"Secondly, Mr. Speaker, there have been concerns raised about the timeliness of International Trade Agreements. As you well know, the GAT, the WTO, CAFTA, NAFTA, the current US Peru Trade Agreements, these are agreements that have taken years – not days, not weeks, not months, but years to conclude. There has never been a trade agreement that was concluded in a matter of months, and therefore the timeliness issue, I believe, is not the issue. We always have the time to come back and hear the concerns of the people of this State, because after all, the legislative hearing should be an opportunity, and it is a process whereby anyone in the general public

can come to the Legislature, state their concerns, state their perspectives, and then, only then, we could authorize the Governor to sign on to any given trade agreement.

"As it stands now, the Governor, by herself in this case, unilaterally, without any public hearing, without any public input, without any standing whatsoever, can sign this on to that. The original bill serves to try to correct that omission. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I also stand in reservations. I would like to adopt the words of the Representative from Pearl City and hope that subsequent Committees will look at the original language of the bill."

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

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

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

"Thank you, Mr. Speaker. I rise with reservations. I would like to ask that the words of the Representative from Pearl City be entered into the Journal as if it were my own.

"I just wanted to make a few more comments. I think the Members should really take a close look at this particular measure because what it does actually is it gives our authority and our responsibility up to a Committee made of four members of the House and four members of the Senate. Regardless of whether we're in Session or out of Session or what not, I think I'm puzzled, probably more troubled that a proposal like this is going through our House, because these types of issues as the Chair of Education has already said, should involve this body and should involve the Senate, as well.

"In fact, Mr. Speaker, I really think that this particular proposal, and I've already spoken to the Chair about this, is unconstitutional. If we move this to the next Committee, that being Finance, I hope the Finance Committee and its Chairman can take a look at the original bill and really take a look at the Governor's concerns in her veto message last year and make changes to address the concerns already raised by the Members already on this Floor. Thank you."

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

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

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

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker. I do want to respond to the procurement portion of the bill that was deleted. I consulted with HMSO as well as with the Attorney General, and they said that portion is subject to challenge and for me, it was safer for me to forward a bill that's more acceptable and not subject to challenge.

"And, as far as the portion regarding the timing during Session, we did account for it in this bill that if a decision has to be made during Session, that they need be a concurrence on both houses and it is so stated in this bill. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Just a slight footnote. If the matter is a procurement matter, let us deal with it as a procurement matter. We have as an International Trade Agreement, already overstepped ourselves in that we're not the US Congress. We're the State Legislature. I think we flatter ourselves to think that we actually can go beyond what we've already done. But if it's a procurement issue, let's get a procurement bill and make it where it's a procurement that's internationally related, this body will interfere or it will not. I think that's where it's best done."

The Chair then stated:

"Thank you very much. Your point is well taken and I hope the Finance Committee will consider a hearing on this particular matter and you are a member of the Finance Committee."

Representative Marumoto rose to respond, stating:

"Thank you, Mr. Speaker. Thank you for correcting my misunderstanding that this Committee operated only during the Legislative Session. In fact, it will operate all year round, and I'm troubled by the constitutional problem that this may cause. But I am troubled with the makeup of the Committee because given the current landscape of politics here in Hawaii, there are three members from this House from the Majority and only one from the Minority, and likewise from the Senate. And so this heavily weighs against the current Governor, who is a Republican. So I think it's an imbalance. I think its some kind of an abuse of power, and I really object to this even more so. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 30, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Chang and Souki being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 1229, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 326, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 1614, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1614, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 1618, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1618, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 386, I have some reservations. Mr. Speaker, what this bill will do is establish a pilot project to allow video surveillance cameras. The concern that I have, Mr. Speaker, involves government abuse and invasion of privacy. I think we should be very cautious on doing something of this nature, and certainly have some protections in any bill that does make it through. Thank you."

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

"Thank you, Mr. Speaker. In strong support. My district has been of late marred quite substantially by graffiti to the extent that it was the library, it's the schools, it's across from the Union Hall and it's businesses. And we have been frustrated with this issue for quite some time. I think that this is a bold new idea and experiment to try to solve this problem. Additionally written comments, if I may ,to be inserted in the Journal," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of House Bill 1618 - Relating to Property Damage.

"Graffiti vandalism is a significant problem on the national level as well as the local level. The cost of graffiti vandalism nationally is estimated at more than $15 billion, with about $8 billion spent on abatement activities alone, according to the National Center for Problem Oriented Policing. Graffiti vandalism has a significant negative impact on the quality of life for residents, as well as a negative impact on business by contributing to blight and fear and its association with other criminal activity.

"The proposed pilot project for the City and County of Honolulu to implement the use of surveillance cameras in chronic problem areas is a proven, effective deterrent to drug dealing, graffiti, and other street crime in major cities across the United States.

"In Baltimore, over 1,500 arrests attributed to one area where the cameras are installed. Baltimore launched its Citi-Watch surveillance system in 2005. There, surveillance cameras proved their utility in October 2006 when a little Baltimore girl vanished, cameras captured her abduction. Video showed her walking down the street with her abductor. Police followed the trail of recorded video through the neighborhood to her abductor's home.

"The cameras are set to record any incidents that might occur, and officials at police stations can also monitor what the video cameras feed back. Police can't be in every place all the time. These cameras will give Honolulu police officers an extra set of eyes on the street."

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

Representative Cabanilla's written remarks are as follows:

"I rise in strong support. Mr. Speaker, I requested that it be mandatory that throughout the 9th grade in our public schools, that all students go through an intense assembly class instruction period that teaches the students about the negative effects of graffiti. The bill, HB729 will not be heard by the Chair of Education for his own reasons that I disagree with.

"In this vein, anything that attempts to qualm graffiti is warranted. This measure makes that attempt. Please vote yes to HB1618. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE," passed Second Reading and was referred to the Committee on Finance with Representatives Chang and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 387) recommending that S.B. No. 25, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 25, SD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

Representative Takai's written remarks are as follows:

"This bill provides $11.6 million for the operations of the House through 2007 and until June 30, 2008.

"The proposed $11.6 million budget is an 11.9 percent increase of $1.2 million from last year's budget. Last year's budget was $10.4 million.

"This 11.9 percent increase in this year's budget is on top of an 18.8 percent increase for last year's budget and a 16.3 percent increase in 2005.

"If this budget bill passes, the budgets for the operations of the House will have increased a mind-numbing 54.7 percent in three years ($7.5 million in 2004 to $11.6 million in 2007).

"But, it's not only the budget figures that I'm concerned about. I'm even more concerned about the carry over balances that we've been seeing over the past three years.

"Unlike other State departments, whatever is left over after December 31 of this year can be carried over to 2008 and spent until June 30, 2008. In a sense, our budgets are for 16-months. This is a very important fact in today's discussion because there is a significant overlap of almost a half of year for your budget cycle. We had more than $4.4 million left over on December 31, 2006 in the 2006 budget.

"In fact, our budget reserves have increase significantly over the past three years. In 2004, we have $2.4 million left in the account at the end of the year. In 2005, we had an extra $3 million left over. In 2006, again we had $4.4 million at the end of last year.

"Some will argue (and I agree) that a reasonable amount of money is needed to carry the House through the first two months of the

calendar year. But, $4.4 million is a bit excessive. In fact, what is needed is approximately $2 million. So, even without the proposed increases in this bill before us, we have $2.4 million too much!

"Here's another perspective: We had a carry-over balance of $3 million on December 31, 2005. We spent $5.9 million in 2006 for the 2006 budget. Taken together, the House spent $8.9 million in total for 2006. But our budget was $10.4 million. We had an extra $1.4 million left to spend. Do we return this money to the State's general fund? No. This extra $1.4 million goes into our budget reserves and will be the first money used in 2007.

"When we all do our family budgets, usually we use the previous year's expenditures as the guide. The handout from our House Leadership creates the 2007 budget from the 2006 budget, not from the actual expenditures. Again, we actually spent $8.9 million for 2006. The proposed 2007 budget is $2.7 million more than we actually spent for the entire 2006. The budget proposed today is more than 30 percent over the expenditures from 2006.

"So, while our budget has increased by 54.4 percent over the past three years, our budget reserves have increased as well from $2.4 million extra in 2004 to $4.4 million at the end of last year.

"Taken another way, our budget reserves went from 32 percent of our total budget in 2004 ($2.4 million reserves of the $7.5 million budget), to 34.3 percent of our total budget in 2005 ($3.0 million reserves of the $8.8 million budget), to 42.9 percent of our total budget in 2006 ($4.4 million of the $10.4 million budget).

"Some people are heavily critical of a particular local company for keeping what some call 'excessive reserves.' I believe that our 42.9 percent budget reserve of the House is overly excessive.

"I'm not saying the all of the proposed budget items in this year's budget is not justified. In fact, I do agree with almost all of the proposed uses for the $1.2 million. However, I believe that we should first utilize the budget reserves before we increase our bottom line.

"With homelessness the top priority this year, I believe that the $1.2 million additional funds could be better spent by providing housing for 200 families for one whole year.

"We are asked to be good stewards of our limited and precious resources. This budget request is irresponsible. It represents everything that we don't want to be.

"I urge my colleagues to study the numbers. I urge my colleagues to understand the details of this budget . . . and I reserve my final vote for Third and Final Reading."

The Chair then stated:

"Members of this House, I believe you can submit your written comments in support or with reservations on Third Reading. But the Chair will allow you to cast your vote on Second Reading if you so desire. Representative Meyer, would you like to cast your no vote at this point since you did that yesterday?"

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

"Thank you, Mr. Speaker. I'm actually going to let this move on quickly because I'm going to reserve my remarks for tomorrow."

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

"Just to register a no vote. In the spirit of Valentine's Day, I won't speak today."

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

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

"Mr. Speaker, to my good colleague in the Finance Committee, DNA, WR."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 25, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan, Meyer and Pine voting no, and with Representatives Chang and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 776, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO TICKET SALES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 1626, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1626, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 1204, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1204, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 391) recommending that H.B. No. 1213, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1213, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 1393, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1393, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 1248, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 1249, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 1513, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1513, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"I'd to declare a potential conflict on Stand. Com. Rep. No. 395. This is regarding election fraud, and I want to make sure that there is no conflict since I'm an elected official and this may have a great impact on myself and everyone else that's here."

The Chair then ruled, stating:

"No conflict, Representative Sonson since you are in a class of elected officials."

Representative Sonson continued in support with reservations, stating:

"Thank you very much, Mr. Speaker. I'm in support with some reservations. The reservations only go to what may be a typo. It seems that we're increasing the penalties from $1,000 to $5,000, but it has language regarding imprisonment and hard labor. I thought that that provision was going to be taken out. If I'm not mistaken Mr. Speaker, breaking rocks is what was contemplated by the original crafter of this bill. I'm not sure if this language should remain given our laws today. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Chang and Souki being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 26 and 27) and concurrent resolution (H.C.R. No. 44) were referred to Printing and further action was deferred:

H.R. No. 26, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN DONATION IN THE STATE OF HAWAII," was offered by Representative Green.

H.R. No. 27, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED NATIONS GENERAL ASSEMBLY TO REQUEST BY RESOLUTION THAT THE UNION OF MYANMAR CEASE ATTACKS AGAINST CIVILIANS IN ETHNIC MINORITY REGIONS AND BEGIN A SUBSTANTIVE POLITICAL DIALOGUE LEADING TO DEMOCRATIC TRANSITION," was offered by Representative Cabanilla.

H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN DONATION IN THE STATE OF HAWAII," was offered by Representative Green.

ANNOUNCEMENTS

Representative Carroll for the Committee on Energy and Environmental Protection requested a waiver of the 48-hour advanced notice requirement to hear HB No. 194 Relating to the Natural Energy Laboratory of Hawaii Authority, and HB No. 646, HD 1 Relating to Energy, on Thursday, February 15 at 10:00 a.m. in Conference Room 312, and the Chair "so ordered."

Representative Carroll: "The second announcement I have is we would like to invite all of the Members of this body to join us in our Hawaiian Caucus meeting today at 4:00 p.m. in Room 423. We have a presentation by Ms. Robin Danner regarding legislation that affects our Hawaiian homesteaders. Thank you."

Speaker Say: "For all the Members of this body, you all recognize that on pages A to N of your Order of the Day are your public hearing notices. So please attend your public hearings."

Representative Brower: "Mr. Speaker, on page A, the Committee on Agriculture is meeting in one hour at 1:30, and we have a room change. The Order of the Day identifies the Room as 312. We will be meeting in Room 309 today in one hour for decision making."

Representative Yamashita for the Committee on Economic Development and Business Concerns requested a waiver of the 48-hour advanced notice requirement for decision making only on HB No. 310 Relating to Technology, a short form bill, tomorrow, February 15 at 9:00 a.m. in Conference Room 325, and the Chair "so ordered."

Speaker Say: "Chair Yamashita, the Chair will request that you provide the general public and Members of this House an opportunity to review the proposed House Draft 1. After session, please make it available."

Representative Chong for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement to hear HB No. 1200 Relating to the Budget of the Office of Hawaiian Affairs tomorrow at 8:25 a.m., and the Chair "so ordered."

Representative Ching: "At this time, I'd just like to wish everyone a Happy Valentine's Day and also just explain what is on your desk, if that is all right. What is on your desk are 10 to 12 cacao beans. Hawaii is the only state in the US that can and does grow cacao. Just for your edification, cacao is never used as sweet candy or treat. Cacao was used for spiritual wisdom, to fortify soldiers in battle, and for priests and sacred use.

"What you have on your desks, the cacao beans, just for your edification is currency, because in the pre-Columbian times of the entire South American continent, it was used as currency. So one cacao bean could have bought you a *tamale*. Three cacao beans would get you a medium sized salamander, which was a delicacy of Aztec, if you'd like to eat a salamander. A larger one would have cost you four cacao beans. What you have is 10 cacao beans, and it might actually buy a goat, but it wouldn't buy you a hare, because you'd need 40 cacao beans. And if you bought one large turkey, it might cost you 100 of these, what they call black gold or the seed of a gold. It was actually more valuable than gold. Happy Valentine's Day."

Representative Berg: "Thank you, Mr. Speaker. You also have on your desk, colleagues, is a very significant quote that I wanted to share with you by Mother Theresa. I know that one of our guiding principles here is to have aloha integrated, and what Mother Theresa said to us is what you have on your desk with kisses from my office. 'We cannot do great things. We can only do many small things with great love.' Thank you."

Representative Chong: "Thank you, Mr. Speaker. Just one more thing to let everybody know that your Committee on Water, Land, Ocean and Hawaiian Affairs will be meeting on decision making on this morning's agenda following today's session in Conference Room 312."

ADJOURNMENT

At 12:36 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 15, 2007. (Representatives Chang and Souki were excused.)

TWENTIETH DAY

Thursday, February 15, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:02 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Dr. Kalani Brady of the John A. Burns School of Medicine, University of Hawai'i, after which the Roll was called showing all members present with the exception of Representatives Souki and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twelfth, Thirteenth and Fourteenth Days were approved. (Representatives Souki and Takamine were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 21 through 25) were received and announced by the Clerk:

Sen. Com. No. 21, transmitting S.B. No. 650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 22, transmitting S.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 23, transmitting S.B. No. 1486, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 24, transmitting S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on February 14, 2007.

Sen. Com. No. 25, transmitting S.B. No. 1956, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," which passed Third Reading in the Senate on February 14, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Souki and Takamine were excused.)

S.B. No. 650, SD 1
S.B. No. 776
S.B. No. 1486
S.B. No. 1513
S.B. No. 1956

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 50 and 51) were received by the Clerk and were placed on file:

Dept. Com. No. 50, dated February 9, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on University of Hawai'i Special, Revolving, and Trust Funds For the Fiscal Year Ended June 30, 2006.

Dept. Com. No. 51, dated February 9, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on Career and Technical Education.

INTRODUCTIONS

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

Representative Magaoay introduced the 3rd grade students of Waialua Elementary School and their teachers, Ms. Toni Augustine, Mr. Dale Yoshizu and Ms. Zami Perez. They were accompanied by chaperones, Ms. Rychleski, Ms. Archer, Ms. Robinson, Mr. Perez, and Representative's community liaison, Mr. Walter Tonai.

Representative Takai introduced the 3rd grade students of Holy Family Catholic Academy and their teachers, Mrs. Melinda Ballentine and Mrs. Carolyn Kuahulu.

Representative Carroll introduced patients from Kalaupapa, Molokai, Mr. Edwin Lelepali, Ms. Ku'ulei Bell, and Ms. Nancy Talino. They were accompanied by the Kalaupapa ohana, Ms. Piolani Mota and Ms. Pauline Hess; and Hale Mohala staff, Mr. Sheldon Loui and Ms. Gladys Fujioka.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolution were referred to committee by the Speaker:

H.R. Nos.	Referred to:
26	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance
27	Committee on International Affairs, then to the Committee on Finance

H.C.R. No.	Referred to:
44	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
687, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
811	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
1228	Committee on Human Services & Housing, then to the Committee on Finance
1456, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
1719, HD1	Committee on Tourism & Culture, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 1425, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 573, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER WARNINGS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 292, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 617, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 617, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 1065, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1065, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 1345, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1345, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 1140, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Evans and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 621, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 621, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY RESERVE COMPONENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Evans and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 1092, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1092, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 405) recommending that H.B. No. 1721, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1721, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 406) recommending that H.B. No. 1372, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1372, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 1358, as amended in HD 1, pass

Second Reading and be referred to the Committee on Public Safety & Military Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1358, HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

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

"I'm standing in opposition to Stand. Com. Rep. No. 407 Relating to the Purpose of the Hawaii Youth Correctional Facility. I think we have a misunderstanding of what's going on here. The bill itself is addressing the Hawaii Youth Correctional Facility and trying to define its purpose. Basically they're removing incarceration and punishment, and substituting custody and rehabilitation. Those who testified for it, the Office of Youth Services, the ACLU and Community Alliance on Prisons were in support.

"My problem with this particular measure is that the purpose that they have placed in this bill is proper for the Office of Youth Services. It is their job to find alternative means, alternative programs for the youth who get into trouble. The purpose of the Hawaii Youth Correctional Facility however, is to ensure that those who are dangerous to the community, those children who have gone through the process and have failed, that they are locked up in this facility. Only the most dangerous, the most hardened of those children who get into trouble, are supposed to be the ones incarcerated. That is the mission of the Hawaii Youth Correctional Facility.

"We must not blend that two. HYCF is only attached to OYS. OYS has its purpose. HYCF also has its mandated purpose. By doing it this way, we blur the distinction between the two and I believe that we we're going to be treating those hardened kids in HYCF as if they were cute and cuddly. Believe me, Mr. Speaker, after I walked through HYCF, you can see why there are correctional officers there. Because they are needed to be there. Thank you very much."

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

"I rise in support of the measure. Notwithstanding the truth in the degree of what the previous speaker had said, this bill basically represents a paradigm shift. The notion of incarceration hasn't worked. The notion of rehabilitation and custody, otherwise giving us a different mindset. We tend to treat things the way we call them. I think if we get to rehabilitation, we get to re-entry into the community. If we get the notion that we're going to do something about it, rather than punish and incarcerate, because we found that it doesn't work. Recidivism is very, very high here and I think these are the ones who are going to be in the prison system later. It's an attempt, albeit unproven, but it's a paradigm shift to think differently about our troubled youth. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. I think most of us in this Chamber have read about some of the problems that they've had at the Hawaii Youth Correction Facility, like overcrowding and inappropriate treatment some of these young people have received at the hands of the guards. In listening to testimony in the Finance Committee in the annual briefing, the Youth Correctional Facility directors see that in many instances community homes would work better. Some of these children are from the Neighbor Islands. They are away from family and they're thrown into a pretty much hostile environment.

"So as the Representative from Hawaii Kai stated, this is a paradigm shift. I have visited the Hawaii Youth Correctional Center and, yes, there are troubled youths there, but there are also sweet-tempered youths who are just runaways, and they are not getting better in that environment. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representative Sonson voting no, and with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 1406, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1406, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 408. As I mentioned before, my reservations with this bill is that it does not include the impact on the Department of Public Safety and our correctional facilities. I believe there should be appropriation, and I believe there should be impact studies involved in bills like this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1406, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 524, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 1357, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 453, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 453, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON THE STATUS OF WOMEN," passed Second

Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 456, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 456, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 413) recommending that H.B. No. 828, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 828, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 1455, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1455, entitled: "A BILL FOR AN ACT RELATING TO QUEST ENROLLMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 526, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 1043, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1043, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 1640, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO PERMITS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 400, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 400, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 1924, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1924, entitled: "A BILL FOR AN ACT RELATING TO THE ERADICATION AND CONTROL OF THE COQUI FROG," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 1941, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1941, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLING INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Shimabukuro and Ito, for the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 851, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 851, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 468, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 468, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 1907, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1907, entitled: "A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 523, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 425) recommending that H.B. No. 1557, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 426) recommending that H.B. No. 399, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 399, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 427) recommending that H.B. No. 1525, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1525, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO WEST MAUI SOIL AND WATER CONSERVATION DISTRICT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 428) recommending that H.B. No. 1639, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1639, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise with reservations on Stand. Com. Rep. No. 428. In light of the fact that the Sustainability Task Force which we have funded for the past three years, has not completed its work yet with regards to identifying important ag lands, the whole State plan towards self-sufficiency and the Tax Commission Report repeatedly reminds us that tax benefits may not be the way to base our economy, I will voting with reservations."

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

"Thank you, Mr. Speaker. I also rise with reservations on this measure. Mr. Speaker, the Tax Review Commission suggested we rein in all the tax credits and exemptions on the books. This measure is yet another move in the opposite direction by poking yet another hole in our State coffers. Instead of a tax credit, we are providing an exemption. I certainly am all for assisting agricultural uses and growing agricultural business, but I'm not a fond supporter of the manner in which this effort is achieving that. By providing State tax benefits for some, that just means that the burden is placed on the rest of our community to pick up the slack here. So, for those reasons, I would like to voice my reservations."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1639, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 429) recommending that H.B. No. 1121, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1121, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1121, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES FOR AGRICULTURAL USES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 430) recommending that H.B. No. 351, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 351, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 431) recommending that H.B. No. 764, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 764, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On 431, I would like to express my opposition to this particular measure. This would allow a permanent application for absentee voting. Once you request an absentee ballot, you can continue to receive them without reapplying every election cycle. I think this could create some mischief. In these days when we have very high turnovers, especially in our condominiums in Waikiki, Pearl City and Makiki, there are so many people moving in and out and applying for registration, and they also apply for a permanent ballot. At one place, you'll end up with several ballots arriving at the door and it would be very tempting to want to vote for all of them.

"I think that we don't have enough technology yet to compare signatures and it would be very expensive for the counties to implement this, but I think that this is a particularly bad idea, where I hope that this bill doesn't go much further. Thank you."

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

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

"Thank you, Mr. Speaker. I'm rising in support with some reservations. I realize the intent of this bill is good. We're trying to do things to encourage more people to turn out to vote, since we have such a low voter turnout. But at the same time, we have to be very cognizant of trying to make sure that they're qualified voters and that there's no hanky panky that goes on, and this sort of opens the door. I realize it's still early and, hopefully, we'll end up with something that will do what we want it to do and still maintain some strong security. Thank you very much."

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

"Mr. Speaker, I rise in support. Very briefly, I just want to point out that on page 4, we already have a laundry list of safeguards in the bill to make sure that the election fraud or voter fraud doesn't occur. And if people will remember, we already passed out a bill increasing the penalties for election fraud from $100, to $1,000, to $5,000, and we left in the fact that they can still be punished for hard labor. So I think that's enough a deterrent to make sure that people are not going to be committing election fraud. Thank you."

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

"Thank you, Mr. Speaker. I'm also in support. On page 3, this permanent absentee voting status is not an automatic thing. It's not as if you request an absentee ballot and that it happens all the time. On page 3, you specifically have to request that you be put on a permanent status. It sure is a service that I would like to take advantage of because every election cycle we ask for an absentee ballot, and I'm always going to vote absentee, and I think it's something that people can opt for. It's not an automatic thing."

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

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

"Mr. Speaker, I rise with some serious reservations. We certainly need some incentives to get people to come out to vote, and I know we have safeguards in this, but if someone doesn't show up once, they are taken off the list, which I think is a good safeguard. But when it comes to the point of where you are a normal voter, you're not even a permanent normal voter if you don't vote twice, or let's say, consecutive elections. So, I'm not sure that the safeguards, the structure of incentives equal a better system. And if anyone who is for this can suggest strongly how it's improved voter turnout in California, it might more persuasive. As we know California is the experimental body of this United States. Thank you very much."

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

"Thank you, Mr. Speaker. I rise in support. I just wanted to mention that let's not forget the fact that every time we have an election, prior to the election, the Office of Election sends out this card. The card is a very important card because should that card go to a home and you're no longer there, the Postmaster is required to mail it back as non-deliverable. That signifies or signals to the Office of Elections that that particular voter, whether absentee or walk-in, is no longer at that place.

"Now, that's not to say that that voter moves off the voter rolls. In fact, the voter, I think, stays on for two or three cycles, but that absentee ballot will not be mailed to a house where the voter no longer lives. So I think this measure provides another opportunity for us to increase the turnout that are in our elections, and I think it should be supported. Thank you."

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

"I rise with reservations. I appreciate the intent, but I also see potential for abuse."

Representative Ward rose to respond, stating:

"One thing I forgot to mention, Mr. Speaker, in particular regard to those who move or die. Right now when we send out our stuff during a campaign, how many pieces get returned when we send it first class? It's a huge amount. We can't even keep up with the dead or the mover or the mobiles, let alone keeping up these. I think it's going to be a real headache to keep track of it efficiently, if we want to do it efficiently. Thank you, Mr. Speaker."

The Chair then stated:

"This particular measure will be moving to the Committee on Finance. I hope the Finance Committee members, the Chair and Vice Chair will look at this measure closely."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 764, HD 1, entitled: "A

BILL FOR AN ACT RELATING TO VOTING," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Marumoto and Thielen voting no, and with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 969, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 1133, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1133, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm sorry. I was slow on the uptake here. Must be the remnants of the flu. I meant to cast a no vote, please, on Stand. Com. Rep. No. 433 Relating to Election Day Registration.

"Thank you very much. Mr. Speaker, I wanted to tell you something that really startled me at the hearing. Mr. Speaker, something really surprised me at the hearing. I asked the Executive Director of the Office of Elections if he had met with the Commission on Elections, with the Commission members, and had he discussed any of these bills that he was bringing forward, that he had prepared with his Commission, and he said, no. He hadn't even contacted them about that.

"We established an Elections Commission. It has members that have been appointed, but he has just left them out of the whole process, so they didn't even have an opportunity to weigh in. I thought that had the Commission been able to discuss the Election Day Registration, more information, and I guess more knowledge could have been gained. And had the Commission members come and testified on that at the hearing, it would have helped us with our decision making. As it is, he's just running the show all by himself, and I don't think that's the way the Legislature intended it to happen. Thank you."

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

"Thank you, Mr. Speaker. On the same measure, I will be voting no, and request that the testimony of the Clerk from the City and County of Honolulu be inserted in the Journal," and the Chair "so ordered."

Representative Marumoto submitted the following testimony:

ELECTIONS
OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813 / TELEPHONE 523-4293

DENISE C. De COSTA
City Clerk

TESTIMONY FOR HB 1133
RELATING TO ELECTION DAY REGISTRATION.

Committee on Judiciary
Rm. 325
February 6, 2007

Chairman Waters and members of the Committee:

HB 1133 authorizes the establishment of election day voter registration.

The Office of the City Clerk continues to have reservations concerning election day registration, particularly with regard to the additional responsibilities it places upon pollworkers (to service this new category of voter/registrant) and the impact it could have in closely contested elections.

While removing impediments and increasing accessibility to the election process is a laudable consideration, we believe that the voter registration requirement is neither unreasonable nor onerous for any person wishing to participate in the election. Under present law, registrants have up to 700 of 730 days to register to vote during the election cycle.

We believe that the awareness and process of registering to vote by the deadline should continue to be a first and necessary component of recognizing one's personal civic responsibilities.

Thank you for the opportunity to testify.

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

"Mr. Speaker, I rise in support. Just very briefly to counter the statements made by the Representative from Kailua. If she looks at HRS 11-7.5 regarding the duties of the Election Commission, there's nothing that requires Mr. Yoshino to actually go before the Commission to get their approval on any and all proposed legislation. Actually, they're just an advisory body. If that's what she wants the Commission to do, I suggest she put in a bill to clarify that role."

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

"Thank you, Mr. Speaker. Just a respectful no vote. My reason is just that I thought it was a little bit impractical and complicated to do."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. And as the Majority Floor Leader said, they're an advisory group. Fine. And the Executive Director should have gone to them for their advice …."

Representative Takai rose to a point of order, stating:

"Point of order, Mr. Speaker. Thank you.. Mr. Speaker, I believe that this discussion is not applicable to this particular measure."

The Chair responded, stating:

"The Chair will allow Representative Thielen to continue at this point because the discussion has gone on. Please proceed."

Representative Thielen continued, stating:

"Thank you. I was speaking about them being an advisory group, as the Majority Floor Leader said. Unfortunately, we weren't given the advantage of having their advice, and neither was the Executive Director, because he just did this on his own. Thank you."

The Chair then stated:

"Representative Thielen, I believe you may be out of order on that last statement."

Representative Marumoto rose to respond, stating:

"Yes, Mr. Speaker. In strong opposition. I appreciate your indulgence, Mr. Speaker. This elections group actually hires and fires the Chief Elections Officers, so I think they have a little more clout than as mentioned by the Majority Floor Leader. Thank you."

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

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

"Actually, Mr. Speaker, I'm rising in strong support for Stand. Com. Rep. No. 433 regarding same day registration. My people, the people that live in my district, usually have two or three jobs, Mr. Speaker. And sometimes they miss the deadline when they can go and register. I think it will serve them better and it would be a more participatory election if they are given more opportunity to register. Thank you."

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

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

"Thank you, Mr. Speaker. I rise in support with some very strong reservations. I thought that the City Clerk's testimony was quite compelling. This will put a lot of additional responsibilities on an already stretched-thin poll workers. I think this last election they were just scrambling to get poll workers and there were many precincts that had inadequate help, so this could be a real problem. Thank you."

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

"Mr. Speaker, I rise in opposition of this measure, not only for the chaos on election day as was previously mentioned, but the notion that those who are going to do this need exactly the day of the election. If people are working two or three jobs, let's give them a week or two weeks or ten days. Let's be practical. I think this is pushing it too close to the edge and, obviously, there are people working a lot and they need a break. But I think maybe where it is now is too far out. This one goes too much in the opposite direction, too far in. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm speaking in support. The voting turnout is dismal at best, and we have to start thinking outside of the box. If there's a will, there's a way. If we want people to vote, we have to make it convenient for them to vote. That's why we passed out permanent absentee ballots and same-day registration.

"I understand, and my staff attorney said in the past, in other states, the slogan was, 'Vote early and vote often.' And, of course, nobody wants that. That's why it's important to put in safeguards. Understandably, there may need to be some more work on this bill, but if we keep going down the road that we're currently going down, it's only going to get worse. Thank you."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. With all due respect to the Representative from the Windward side, I do feel that whenever looking at solutions to problems, the first step should be identifying the problem, and identifying it as accurately as possible.

"As convenient as absentee voting has made it, as convenient as it is, I don't think it is the root of why we have one of the lowest turnouts. It has much more to do with some other factors, maybe making things relevant, education, etc. So, I think that thinking out of the box is great, but I don't think that taking into account that there are people who are dead or moved on the current list. You want truth and accuracy to be important, too."

The Chair then stated:

"For the members of the Finance Committee, you'll be given the opportunity for a very lively discussion on this matter."

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

"Mr. Speaker, I'm in strong support, and I look forward to the day that we're like Peru, where on any given day, they can go to a credit card and they can vote on-line because they do that in that country. We have got to move forward. We've got talented people that work at the voter polls. There's no reason why we can't do this and I believe it's in the right direction. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY REGISTRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Green, Marumoto, Thielen and Ward voting no, and with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 1135, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1135, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 1334, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1334, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 436) recommending that H.B. No. 88, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 88, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 436, HB No. 88, HD 1, in support. I just wanted to point something out. I think this is a great effort to try to find some balance in terms of dealing with all forms of insurance fraud, including workers' comp fraud. If you'll read the bill, you'll notice that in the workers' comp area, which is something new, the Insurance Division will be able to investigate that area. That's going to sunset in three years. And the reason for that, Mr. Speaker, I'm going to point out to the Members that we're concerned that when they investigate fraud, that the focus is placed on where the greatest fraud occurs.

"About 80 percent of the fraud is either an employer or healthcare provider, not employee. An employee may be easy to find or easy to point out, but we don't want to see the energy and the resources of that Division concentrated just on that side. We want the largest 'bang for the buck', and we hope that the Insurance Division will do that. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 88, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 1518, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representatives Morita and Yamashita, for the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 438) recommending that H.B. No. 871, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 871, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 439) recommending that H.B. No. 870, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 870, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 440) recommending that H.B. No. 1111, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1111, entitled: "A BILL FOR AN ACT RELATING TO ALCOHOL FUELS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 873, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Souki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 1915, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1915, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1915, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 443) recommending that H.B. No. 1670, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1670, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

"Thank you, Mr. Speaker. With strong reservations."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 444) recommending that H.B. No. 1367, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1367, pass Second Reading and be

referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1367, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 1818, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Sonson and Evans, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 446) recommending that H.B. No. 915, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 915, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 915, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS OFFICERS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 936, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 936, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 936, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Takai voting no, and with Representatives Souki and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 448) recommending that H.B. No. 853, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 853, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 1280, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1280, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN WORKFORCE DEVELOPMENT," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representatives Yamashita and Morita, for the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 1902, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1902, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 248, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 248, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 248, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 201, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 201, entitled: "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 1063, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1063, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 149, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 149, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 568, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 619, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 619, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 1526, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INMATE REINTEGRATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 1676, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HURRICANE PREPAREDNESS MONTH," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 1155, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1155, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 315, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 315, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR AGRICULTURAL WATER DISTRIBUTION FOR KULA IN UPCOUNTRY MAUI," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 780, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 780, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 780, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second

Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 1059, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1059, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN, DESIGN, AND CONSTRUCT A TEST WELL IN UPCOUNTRY MAUI TO SERVE AS THE FIRST PHASE IN THE CONSTRUCTION OF A GROUND WATER WELL TO SUPPLEMENT THE UPCOUNTRY MAUI SURFACE WATER SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 1222, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1222, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 332, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 332, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 443, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 443, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 443, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representative Chang voting no, and with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 466) recommending that H.B. No. 156, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 156, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 156, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES WHILE DRIVING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 1215, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 155, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 155, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 481, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 481, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION TO INSTALL NAVIGATION LIGHTS ON THE BRIDGE OVER KALANIANAOLE HIGHWAY AT THE ENTRANCE TO THE HAWAII KAI MARINA ON OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 1559, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1559, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 471) recommending that H.B. No. 779, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 472) recommending that H.B. No. 872, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 872, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 473) recommending that H.B. No. 1864, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1864, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY FOR COQUI FROG ERADICATION EFFORTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 474) recommending that H.B. No. 1595, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1595, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM PRICE GOUGING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 475) recommending that H.B. No. 1805, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL WASTES DISPOSAL AND RECYCLING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representatives Morita and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 476) recommending that H.B. No. 1646, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 477) recommending that H.B. No. 1660, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1660, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 478) recommending that H.B. No. 507, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 507, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 479) recommending that H.B. No. 594, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 594, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to stand in support with slight reservations for Stand. Com. Rep. No. 479. This is a Charter School bill and it has a lot to do with the Charter School panel that we created last year in legislation. This bill is moving with a lot of positive things moving forward.

"Just to clarify my reservations, it's not with this bill, but just not having the agency-sponsored Charter Schools and adding that to the bill. It was in the bill previous, and I just wanted to see that continue on in the discussion. Hopefully, it will come over from the Senate side."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 594, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 480) recommending that H.B. No. 1684, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL LIAISON FOR THE LEGISLATURE," was referred to the Committee on Finance with Representatives Souki and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 481) recommending that H.B. No. 1432, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1432, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1432, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE WIRELESS ACCESS," was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 482) recommending that H.B. No. 389, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 389, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Souki and Takamine being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Souki and Takamine were excused.)

THIRD READING

S.B. No. 25, SD 1:

Representative Caldwell moved that S.B. No. 25, SD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Takai's written remarks are as follows:

"This bill provides $11.6 million for the operations of the House through 2007 and until June 30, 2008.

"The proposed $11.6 million budget is an 11.9 percent increase of $1.2 million from last year's budget. Last year's budget was $10.4 million.

"This 11.9 percent increase in this year's budget is on top of an 18.8 percent increase for last year's budget and a 16.3 percent increase in 2005.

"If this budget bill passes, the budgets for the operations of the House will have increased a mind-numbing 54.7 percent in three years ($7.5 million in 2004 to $11.6 million in 2007).

"But, it's not only the budget figures that I'm concerned about. I'm even more concerned about the carry over balances that we've been seeing over the past three years.

"Unlike other State departments, whatever is left over after December 31 of this year can be carried over to 2008 and spent until June 30, 2008. In a sense, our budgets are for 16-months. This is a very important fact in today's discussion because there is a significant overlap of almost a half of year for your budget cycle. We had more than $4.4 million left over on December 31, 2006 in the 2006 budget.

"In fact, our budget reserves have increased significantly over the past three years. In 2004, we have $2.4 million left in the account at the end of the year. In 2005, we had an extra $3 million left over. In 2006, again we had $4.4 million at the end of last year.

"Some will argue (and I agree) that a reasonable amount of money is needed to carry the House through the first two months of the calendar year. But, $4.4 million is a bit excessive. In fact, what is needed is approximately $2 million. So, even without the proposed increases in this bill before us, we have $2.4 million too much!

"Here's another perspective: We had a carry-over balance of $3 million on December 31, 2005. We spent $5.9 million in 2006 for the 2006 budget. Taken together, the House spent $8.9 million in total for 2006. But our budget was $10.4 million. We had an extra $1.4 million left to spend. Do we return this money to the State's general fund? No. This extra $1.4 million goes into our budget reserves and will be the first money used in 2007.

"When we all do our family budgets, usually we use the previous year's expenditures as the guide. The handout from our House Leadership creates the 2007 budget from the 2006 budget, not from the actual expenditures. Again, we actually spent $8.9 million for 2006. The proposed 2007 budget is $2.7 million more than we actually spent for the entire 2006. The budget proposed today is more than 30 percent over the expenditures from 2006.

"So, while our budget has increased by 54.4 percent over the past three years, our budget reserves have increased as well from $2.4 million extra in 2004 to $4.4 million at the end of last year.

"Taken another way, our budget reserves went from 32 percent of our total budget in 2004 ($2.4 million reserves of the $7.5 million budget), to 34.3 percent of our total budget in 2005 ($3.0 million reserves of the $8.8 million budget), to 42.9 percent of our total budget in 2006 ($4.4 million of the $10.4 million budget).

"Some people are heavily critical of a particular local company for keeping what some call 'excessive reserves.' I believe that our 42.9 percent budget reserve of the House is overly excessive.

"I'm not saying that all of the proposed budget items in this year's budget is not justified. In fact, I do agree with almost all of the proposed uses for the $1.2 million. However, I believe that we should first utilize the budget reserves before we increase our bottom line.

"With homelessness the top priority this year, I believe that the $1.2 million additional funds could be better spent by providing housing for 200 families for one whole year.

"We are asked to be good stewards of our limited and precious resources. This budget request is irresponsible. It represents everything that we don't want to be.

"I urge my colleagues to study the numbers. I urge my colleagues to understand the details of this budget . . . and I reserve my final vote for Third and Final Reading."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise today in strong support of SB No. 25, SD1. This bill reflects cautious budgeting and planning and deserves our full support.

"The budget before us today reflects fiscal prudence. It makes careful, incremental adjustments to help compensate for the many learn years that the Legislature experienced in earlier Sessions. There were many, many years when the legislative budget remained unchanged in spite of ever-rising costs. To put it simply, this budget is actually helping us to catch up to where we should have been years ago.

"Mr. Speaker, as everyone knows, the Legislature is a co-equal branch of government along with the Executive branch and the Judiciary. The most, yet much-needed increases in this budget enable us to partner more effectively with them.

"Unfortunately, erroneous media accounts may have misled Members and the public into believing that the amount and nature of the increases in this budget were inappropriate. These errors have since been corrected. However, Mr. Speaker, allow me to explain further.

"Over $2 million was added to the budget of the Office of the Auditor so that it could conduct audits on 11 additional State departments, which have thus far been auditing themselves. This increase will help make government more open, transparent, and accountable to the public.

"This budget would provide the House with improved research capabilities, needed computer upgrades, and enhanced professional-development opportunities for both Members and staff. It would also allow us to continue to remain in close communication with our constituents.

In addition, this budget provides for:

(1) Necessary repair and maintenance costs for House offices and conference rooms, which are showing wear and tear after years of use;

(2) Improvements that enhance public access to the House and its work;

(3) Higher annual dues for membership in the National Conference of State Legislatures and the Council of State Governments; and

(4) The rising costs of goods and services purchased by the House.

"Let me reiterate. SB No. 25, SD1 is not paying for unnecessary, wasteful extravagance. It is providing adequate funding for the essential operations of the House – no more and no less.

"SB25, SD1, will help us do the people's work, and I urge all of my colleagues to vote in support of this bill. Thank you, Mr. Speaker."

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

"Mr. Speaker, in opposition for the reasons as when it originally passed out of the House."

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

"Just in opposition for the same reason."

The Chair then stated:

"Madame Clerk, do you have the comments for the Bill that went over that was vetoed? Please insert those comments for Representatives Finnegan and Pine for this Senate Bill." (By reference only. See SB No. 638, SD 1.)

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

"Thank you, Mr. Speaker. We had previously voted on this and I voted no, and I'm still going to vote no. Since the veto on this bill, and the new bill that came out of the Senate had a Section 14 added that was asked for by the Governor. It does show that we in our budget of 2006-2007, we had already exceeded the expenditure ceiling by $90 million. And when you add this new legislative budget which is an increase, at least for the House, by about 12% over last year's budget, but further increases the percentage that we exceeded the spending expenditure ceiling. So for that reason and the reasons I expressed the first time this bill passed Third Reading in this Chamber, I'm still going to vote no. Thank you, Mr. Speaker."

The Chair then stated:

"Representative Meyer, before calling for the question, I believe you still have to state for each of the bills the no votes for the Members of the Minority Caucus. Even if it is reflected in the Journal and Members have stood up to vote no, you still have to make that announcement."

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

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

Representative Magaoay's written remarks are as follows:

"Thank you very much Mr. Speaker. Mr. Speaker, I rise in strong support of Senate Bill 25, HD1.

"Mr. Speaker, the purpose of this measure is to appropriate funds for the Legislature and its service agencies such as the Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, State Ethics Commission, Legislative Information System and the Legislative Broadcast System.

"Respectfully, the Legislature, and these agencies provide an invaluable service to the people of Hawaii year after year. Supporting and appropriating the budget request specified, will assist this Legislature and these government agencies in defraying the expenses encumbered through out the fiscal year.

"As Chair of Legislative Management, I would like to see the Legislature and its service agencies, the Office of the Auditor, Legislative Reference Bureau, the Office of the Ombudsman, the State Ethics Commission, the Legislative Information System and the Legislative Broadcast System funded with the appropriate funding so that we as a government can continue to provide service to the people of Hawaii effectively and efficiently.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

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

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

The motion was put to vote by the Chair and carried, and S.B. No. 25, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Belatti, Finnegan, Meyer and Pine voting no, and with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 776:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO TICKET SALES," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1626:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1626, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1204:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1204, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1213:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1213, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

H.B. No. 1393:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1393, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Third Reading by a vote of 48 ayes, with Representatives Souki, Takamine and Tokioka being excused.

At 12:50 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:50 o'clock p.m.

At 12:51 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 25, SD 1	H.B. No. 1204
H.B. No. 776	H.B. No. 1213
H.B. No. 1626	H.B. No. 1393

ANNOUNCEMENTS

Speaker Say: "If you turn to your Order of the Day, pages A and B, those are the Committee hearings this afternoon, with decision making to follow. Committee Chairs and Vice Chairs, please get your Committee reports and bills down to the Clerk's Office by 6:00 p.m. this evening."

Representative Berg: "Thank you, Mr. Speaker. I'd just like to make a short announcement for anyone who is interested in our Early Childhood Learning system that is evolving. We certainly suggest you come and join us at an informal, informational meeting today at 2:00 p.m. in Conference Room 423 with the Executive Departments, as well as the early childhood providers. Thank you."

Representative Chong for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement for decision making purposes only for HB No. 416 Relating to Airports at 9:00 a.m. tomorrow in Room 312, and the Chair "so ordered."

ADJOURNMENT

At 12:53 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 16, 2007. (Representatives Souki, Takamine and Tokioka were excused.)

TWENTY-FIRST DAY

Friday, February 16, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

Representative Angus L.K. McKelvey introduced Master Ivan Kamana Oke Kai Levy, grandson of his office manager, Ms. Leticia Mercado, who then delivered the invocation. The Roll was called showing all members present with the exception of Representatives Luke, Takai, Takamine, Takumi and Waters, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 267 through 269) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 267, dated February 13, 2007, transmitting the 2006 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 268, dated January 26, 2007, transmitting the State of Hawai'i Agencies' Energy Initiatives: Leading by Example FY 2005-2006.

Gov. Msg. No. 269, dated February 5, 2007, transmitting the 2006 Annual Report of the State of Hawaii Community-Based Economic Development Technical and Financial Assistance Program.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 26 through 29) were received and announced by the Clerk:

Sen. Com. No. 26, transmitting H.B. No. 1073, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on February 15, 2007.

Sen. Com. No. 27, transmitting S.B. No. 155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," which passed Third Reading in the Senate on February 15, 2007.

Sen. Com. No. 28, transmitting S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING," which passed Third Reading in the Senate on February 15, 2007.

Sen. Com. No. 29, transmitting S.B. No. 945, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," which passed Third Reading in the Senate on February 15, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Takai, Takamine and Takumi were excused.)

S.B. No. 155, SD 1
S.B. No. 605, SD 1
S.B. No. 945

INTRODUCTION

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

Representative Cabanilla introduced Austrian Consul General Martin Weiss and Austrian Honorary Consul J. Hans Strasser who were here to celebrate the 30th anniversary of the Austrian Consulate in Hawaii.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
650, SD1	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
776	Committee on Transportation
1486	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1513	Committee on Transportation
1956	Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 483) recommending that H.B. No. 1814, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1814, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 484) recommending that H.B. No. 136, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIDS RESEARCH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 485) recommending that H.B. No. 692, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 486) recommending that H.B. No. 403, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 403, entitled: "A BILL FOR AN ACT RELATING TO THE EAST KAUAI IRRIGATION SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 487) recommending that H.B. No. 119, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 488) recommending that H.B. No. 1793, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1793, HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising with reservations on Stand. Comm. Report No. 488. This relates to agriculture in the Ewa Plains. Mr. Speaker, there seemed to have been some legal issues that were brought up, and I would like to request that you consider reassigning this to Judiciary. The question would be whether or not, if someone is already in the process, whether this bill could actually take away their rights to proceed and would be construed as a taking. So, I think this is something that the Judiciary Committee should consider rather than Water, Land. Thank you."

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

"I'm rising in opposition to this measure. This bill, as written prohibits the State Land Use Commission from accepting, processing, and taking action on any boundary amendment requests to reclassify certain lands generally known as East Kapolei in Ewa.

"HB No. 1793 completely ignores the county planning process, in particular, the Ewa Development Plan. This long-range plan recently adopted by ordinance, did not designate the subject area for urban development in a cavalier manner. The past agricultural role of development plans was known as, 'the Plan', and was being prepared and adopted. However, it was decided that given the many public policies and priorities to address the development of these lands, it was necessary to create the desired housing and employment opportunities of a Second City. Preservation priority was placed on other more valued agricultural lands above the H-1 Freeway. This is testimony from the City and County of Honolulu. I believe that this is a county measure and it has already been decided. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in strong support. The antecedence for H.B. 1793, H.D. 1 is lodged within the sentiments of the Ewa Neighborhood Board which unanimously approved the action 17 to 0 at its Legislative Committee meeting, and passed a measure 8 to 1 at the Board's meeting on February.

"The Committee is very concerned that these precious ag lands are being developed according to an Ewa Development Plan that failed to actually account for the number of homes to be built at the time that the EDP was last organized, and this was three years ago, Mr. Speaker. The new owner has just recently revealed its plan for these 1,600 acres that are currently being farmed. The value of this acreage is contained in the bill's preface and I invite you to read it.

"So, Mr. Speaker, the bill was amended beautifully by the Committee of Agriculture and I owe a lot to the wisdom of the Committee Chair, who permitted the EDP to go on as planned, but adds one more most important feature. He takes care of the farmers that are displaced per Section 4 of H.D. 1. Where do they go, Mr. Speaker? Who is going to lend them a helping hand? This body has taken action to assist many farmers throughout our State where operations ceased, so we may not extend the same courtesy or privilege to the Ewa Plain?

"Mr. Speaker, I also want to add that our farmers are our endangered species. We need to protect them. We need to protect our precious land. When the people of Kunia got displaced, we, as a body, came forward to help them, Mr. Speaker. It is true that the original bill did not want development in the area because of the many reasons that I have noted in the preface of that bill. We now build three feet by one mile grass. We plant grass and we call it the 'green belt'.

"Mr. Speaker, we come from an agrarian history and we need to protect them. We want sustainability. But the Chair of Agriculture has changed the bill into a compassionate bill and he had every right to do that. We need to protect our farmers, and this bill only asks that we help the farmers before they can apply for a permit to change the zoning.

"When the developer bought the land, Mr. Speaker, the State did not promise to reclassify those lands. They bought them as agricultural zoned. And to talk about the Ewa Development Plan, Mr. Speaker, many years ago, through the wisdom of the engineers of Campbell Estate, they said, for the Ewa Development Plan to work, they have to build an underwater tunnel from Iroquois Point to town. Representative Oshiro at the time drafted a Resolution to study that tunnel. But because it was a Resolution, and there's no funding for it, they came forward and said we cannot build a tunnel. That matter was discontinued. That interest discontinued. However, Mr. Speaker, the problem of transportation still exists and the need for a thoroughfare for the people of the Leeward side still needs to be addressed. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representative Meyer voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 489) recommending that H.B. No. 80, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 80, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was

referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 490) recommending that H.B. No. 1220, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1220, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 491) recommending that H.B. No. 396, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 492) recommending that H.B. No. 1662, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 493) recommending that H.B. No. 1452, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1452, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 494) recommending that H.B. No. 226, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 495) recommending that H.B. No. 644, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 644, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 644, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A BIOENERGY MASTER PLAN," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Morita and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 496) recommending that H.B. No. 1641, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1641, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takamine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 497) recommending that H.B. No. 825, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 825, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 498) recommending that H.B. No. 1440, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1440, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 499) recommending that H.B. No. 18, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 18, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Judiciary with Representatives Takamine, Takumi and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 500) recommending that H.B. No. 24, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 24, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 501) recommending that H.B. No. 33, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 33, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise with reservations on this bill. The ARC (a non-profit agency providing 24-hr care, treatment, habilitation and home to hundreds of adults with mental retardation or developmental disabilities) testified in opposition to this bill. Thomas Huber, Volunteer President, testified that this measure may force The ARC to sharply curtail or terminate their services. I would guess that this bill would have a stunning effect on many similar organizations. We are extremely fortunate to have people to work for these non-profits. The workers are probably not getting paid living wages and some probably see their work as compassion care or fulfilling for reasons other than financial. The reward is not always financial. My concern is that a law like the one proposed in this bill would harm more than it would help. Thank you."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 33, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 502) recommending that H.B. No. 867, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 867, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 503) recommending that H.B. No. 1294, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 758, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

At 12:22 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 505) recommending that H.B. No. 1082, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1082, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," passed

Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 506) recommending that H.B. No. 1500, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1500, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 507) recommending that H.B. No. 275, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 508) recommending that H.B. No. 938, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 938 pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 938, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 509) recommending that H.B. No. 966, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 966, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. May I declare a potential conflict? On Standing Committee Report 509, my two sons are contractors and my husband is a contractor," and the Chair ruled, "no conflict."

Representative Thielen continued, stating:

"Thank you. I would like to cast a no vote."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 966, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto and Thielen voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 510) recommending that H.B. No. 1338, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1338, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 1833, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1833, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 1306, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1306, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 1313, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 514) recommending that H.B. No. 1335, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 460, HAWAII REVISED STATUTES, OSTEOPATHY," was referred to the Committee on Judiciary with Representatives Takamine, Takumi and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 10, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 1118, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 517) recommending that H.B. No. 1359, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1359, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 518) recommending that H.B. No. 1478, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1478, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 519) recommending that H.B. No. 522, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 522, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL CARS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 520) recommending that H.B. No. 1020, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1020, entitled: "A BILL FOR AN ACT RELATING TO TOURISM WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 1017, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 1718, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1718, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRUISELINE INDUSTRY," was referred to

the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 1479, HD 1, be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1479, HD 1, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESSES," was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 524) recommending that H.B. No. 1268, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1268, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN EDUCATION," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 916, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 916, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No. 1659, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1659, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"A no vote also on Stand. Com. Rep. No. 526. I think that the system that's set up by the bill is totally unworkable and won't help the State of Hawaii. Thank you."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 1897, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1897, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Yamashita and Morita, for the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 334, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 529) recommending that H.B. No. 428, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 530) recommending that H.B. No. 1047, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1047, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 531) recommending that H.B. No. 1759, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1759, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CONTRACTOR UNDER THE CONTRACTOR REPAIR ACT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 532) recommending that H.B. No. 104, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 104, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Shimabukuro's written remarks are as follows:

"I rise in support of this measure. The purpose of this bill is to establish a process by which Medicaid fee-for-service individual provider reimbursement rates are increased annually for inflation and retroactively adjust for inflation, payments made to providers of hospital outpatient services, and other individual providers to account for the lack of a rate increase for the past five years.

"Hawaii's hospitals have annually lost millions of dollars because government reimbursement is far below cost. Between 2003 and 2005, Medicaid payments to hospitals covered only 73% to 78% of total Medicaid costs, creating a strain on the hospitals financial stability.

"We don't want to create a situation where hospitals start cutting corners or refusing patienst just to save a few bucks. We want them to provide the best care possible and not have to worry about where the money will come from. We need hospitals to see patients as people who need care and not as a financial burden."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 533) recommending that H.B. No. 473, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 534) recommending that H.B. No. 1364, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 535) recommending that H.B. No. 1409, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1409, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 536) recommending that H.B. No. 1784, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1784, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 536, I want to register with reservations. This bill will make a crime of human trafficking, which I think is great, but again, this bill does not have appropriation language or an impact study on how it's going to affect correctional facilities."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Human trafficking is one of the most obscene offenses which exist in the world today. It involves the commercial sex trade, sweatshops, domestic service, and other types of servitude. Victims are put to work by compulsion and receive only the most basic needs of food and shelter.

"This bill specifies that acts of human trafficking in depth in order to protect all victims of this crime. It also adds human trafficking to the list of offenses addressed by the Crime Victim Compensation Commission. Without this bill many trafficking victims will be unable to afford medical and mental health counseling services that are essential for recovery.

"Currently, there are 27 million slaves being trafficked around the world; more than any time in human history. We trust that this bill will not only send a message to predators that Hawaii has a zero tolerance for modern day slavery, but will also facilitate the healing process of human trafficking victims. I urge my colleagues to support this measure. Thank you."

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

Representative Meyer's written remarks are as follows:

"Mr. Speaker, on HB 1784, I'm rising in strong support of this measure. Human trafficking worldwide affects over 27 million men, women and children and 200,000 of them are in the United States of America.

"These people are kidnapped, branded and forced into low-paying servitude or prostitution. Many are lured from other countries with false promises of well-paying jobs as nannies or housekeepers. In these cases, the 'employer' takes their documentation and then threatens them with jail or deportation if they complain.

"Women and children lured into prostitution are brutalized before they get to the United States and are cowed into cooperation. They could be hidden in plain sight. Makeshift brothels are often set up in basements of single family homes or in apartments. They are usually transient, moving locations from week to week, so as to not draw attention from neighbors or police. The victims rarely seek help for themselves as they are intimidated and often, tortured.

"Mr. Speaker, this bill will create the offense of human trafficking a Class A felony and a violent crime. This is an important part of legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 537) recommending that H.B. No. 1531, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1531, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 538) recommending that H.B. No. 1707, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF CAVES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 539) recommending that H.B. No. 1442, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1442, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Yes, in support. This is in my district, Kikala-Keokea. We need to have this done so that the people can move on with their lives. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1442, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 540) recommending that H.B. No. 245, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF A HAWAII ARCHEOLOGICAL SURVEY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 1201, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1201, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 542) recommending that H.B. No. 1353, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1353, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 1580, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1580, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. The Office of Hawaiian Affairs continues to advocate for commitment to reestablish the relationship between the art of building and the making of community, through citizen-based participatory planning and design. This creation of a task force on Hawaiian homestead communities is an example of participatory planning with decision making capabilities.

"I support the intent of this bill. The Department of Hawaiian Home Lands (DHHL) does have one concern with this bill. It does not believe the Legislature has the authority to appropriate funding from the Native Hawaiian Rehabilitation Fund (NHRF), as proposed in section 2 of the bill. Decisions regarding the use of this fund rest solely with the Hawaiian Homes Commission.

"DHHL believes the objectives of this bill can be achieved through a concurrent resolution and recommends that this might be a more appropriate vehicle to consider. As a matter of information, DHHL has allocated funding from NHRF to support the implementation of Act 302 activities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1580, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 544) recommending that H.B. No. 1791, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1791, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 545) recommending that H.B. No. 1848, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1848, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you. Mr. Speaker, I'd like to cast a no vote on the bill that's titled, Relating to Aquatic Resources. Mr. Speaker, I would encourage the Members to take a look at the voting record on this measure. Out of eight votes cast, three were with reservations, and three were no votes."

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

"Also, a no vote for me, Mr. Speaker. It's really bad policy that there's nothing for fisheries management, and I'd like to submit additional comments for the Journal. Thank you."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill. As I mentioned in decision-making on this measure in the Water, Land, Ocean Resources & Hawaiian Affairs Committee, it embarrasses me that this body would even consider this bill. To use 'science' as a guise to hinder the Department of Land & Natural Resources' ability to manage our fisheries is shameful. Last year the previous Chair of the Water, Land and Ocean Resources Committee heard a similar bill, House Bill 2881 on February 2, 2006 during a lengthy evening hearing at the Capitol. The Chair, in his wisdom, saw no value in passing a measure so controversial and had no redeeming value in managing our natural resources.

"The opening paragraphs of testimony submitted by the Department of Land and Natural Resources describes House Bill 1848, House Draft 1 as such:

HB 1848 would impose wide ranging conditions and restrictions on the management of marine fisheries resources. As proposed, this legislation will effectively eliminate the ability of the Department of Land and Natural Resources (Department) Division of Aquatic Resources to manage marine fisheries stock by imposing conditions so restrictive that they are impossible to meet, will severely restrict the Department's range of management options, and will create an autocratic advisory task force heavily slanted toward special interest groups that advocate fishing.

It will also impair the Department's ability to properly manage aquatic resources for the public trust as established in Article 11, Section 1 of the Hawaii state constitution, by forcing all management decisions to be made from the narrow perspective of (a) particular ocean user group or ethnic groups at the expense of all other constituencies.

"Mr. Speaker, the testimony of the Department of Land and Natural Resources is very detailed in its opposition of this measure so I would like to submit the entire testimony for inclusion into the Journal.

"Mr. Speaker, House Bill 1848 gets its origin from model legislation passed around the mainland proposed by 'Right To Fish' groups. There is no 'science' behind these proposals. Hawaii would be the first State throughout the nation that would adopt this 'right to fish' which only benefits the fishers of today and not future generations nor the resource.

"Simply put, Mr. Speaker, this is a bill that does not deserve our support if we truly believe in our obligation to protect and enhance this public trust resource for today and future generations."

LINDA LINGLE
GOVERNOR OF HAWAII

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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TESTIMONY OF THE CHAIRPERSON OF THE
BOARD OF LAND AND NATURAL RESOURCES

On House Bill 1848 – RELATING TO AQUATIC RESOURCES

SENATE COMMITTEE ON WATER, LAND AND AGRICULTURE
AND HAWAIIAN AFFAIRS

February 7, 2007

HB 1848 would impose wide-ranging conditions and restrictions on the management of marine fisheries resources. As proposed, this legislation will effectively eliminate the ability of the Department of Land and Natural Resources' (Department) Division of Aquatic Resources to manage marine fisheries stocks by imposing conditions so restrictive that they are impossible to meet, will severely restrict the Department's range of management options, and will create an autocratic advisory task force heavily slanted toward special interest groups that advocate fishing.

It will also impair the department's ability to properly manage aquatic resources for the public trust as established in Article 11, Section 1 of the Hawaii state constitution, by forcing all management decisions to be made from the narrow perspective of particular ocean user group or ethnic groups at the expense of all other constituencies.

The Department strongly opposes this bill, and notes that the bill contains substantial elements of a similar measure that failed to pass the Legislature in 2006.

A 2006 audit of the Department's Division of Conservation and Resources Enforcement clearly underscored the need for the Department to take a more proactive role in natural resource management.

This bill would send the department in exactly the opposite direction, forcing it into a perpetually reactive mode by mandating lengthy and in some cases unattainable stock assessments prior to any management action, and by inhibiting and time-limiting the use of one of its most effective resource management strategies, area closures.

In addition, this legislation would dictate that the interests of one special interest lobby, fishermen, will essentially hold hostage the management of the marine resources that affect all of Hawaii's citizens, effectively disenfranchising a significant portion of Hawaii's population, and completely eliminating input from the visitor industry.

By mandating that any new area closures in marine systems be evaluated entirely on the basis of their impact to fishermen, this legislation precludes the establishment of area closures based on scenic or recreational values, or to promote biodiversity conservation.

Had such legislation been in place in 1967, we would never have been able to establish such landmark Marine Life Conservation Districts as Hanauma Bay, Molokini, and Kealakekua Bay, which are now renowned tourist sites enjoyed by thousands of people from around the world, many of whom are not fishermen.

In addition, this legislation requires that any management action that prohibits or limits fishing in any area currently open to public fishing be preceded by a stock assessment for each species involved, across the entire range of that species.

Given that stock assessments are lengthy projects, and that many species in Hawaii range across both the main Hawaiian Islands and the Northwest Hawaiian Islands, and in many cases throughout the Indo-Pacific, meeting this requirement would take years worth of field research and hundreds of thousands of dollars for each species involved, and would effectively put a moratorium on any management actions related to marine fish stocks for the better part of a decade.

For management actions involving gear types such as lay gill nets, which affect a large number of species simultaneously, meeting the law's mandates would require completing dozens of separate stock assessments, a process that would take decades, during which time destructive fishing practices could continue unchecked.

This would preclude any sort of meaningful marine management, much less any sort of proactive management.

In short, passage of this legislation would represent a disaster for marine fisheries management in Hawaii.

Furthermore, the proposed legislation's requirement that any management action that results in a restriction to fishing be based on a peer-reviewed studies, though a laudable ideal, is in practical terms often unrealistic, because the publication of such studies is inevitably subject to a lag of several years following the gathering and analysis of the data on which they are based.

This requirement, coupled with the stock assessment requirement discussed previously, would put the Department into a perpetually reactive rather than proactive mode in regard to fisheries management, resulting in greatly reduced effectiveness in regard to aquatic resource protection.

In addition, this measure is internally inconsistent by requiring that the science supporting management actions be evaluated not only from a scientific perspective, but also from the standpoint of traditional lore and practices. This is essentially a mixture of management based on science and management based on faith, and as such runs counter to the mandate of strict scientific rigor that the bill otherwise implies.

We completely agree with the mandate that all management actions for marine resources should be based on solid scientific analysis, and that they be followed up with sound and statistically defensible monitoring plans, but an examination of our recent actions in regard to various fisheries under our jurisdiction, particularly the Main Hawaiian Islands bottomfishery, will show that we already implement such protocols internally as a matter of standard operating practice (See Exhibit A).

For the past 50 years, peer reviewed studies reveal that stocks of coral reef and bottom fishes have declined by more than 50 percent, indicating that the traditional methods have been woefully inadequate in regard to protecting Hawaii's fishery stocks (See Exhibit B).

The most recent study of this type has concentrated on the Waikiki Fishery Management Area, and demonstrated a steady decline in the densities of all species studied in this area over the last 30 years, despite a history of alternating annual seasonal closures (see Exhibit C).

By contrast, recent analyses of area closures as applied to the bottom fishery of the Main Hawaiian Islands, the coral reef aquarium fishery in West Hawaii, and the State's network of Marine Life Conservation Districts have documented dramatic positive effects (see Exhibits D and E).

Based on the science at hand that is immediately applicable to Hawaii, area closures have been shown to be far superior to seasonal closures in regard to the management of many fishery stocks (see Exhibit F). Yet it is this very method that the current legislation proposes to convert to a measure of last resort.

This is all the more ironic in light of the fact that the Legislature itself has previously acknowledged the effectiveness of this approach by passing legislation in 1998 that established a network of closed areas for the aquarium fishery in West Hawaii.

As noted in the Department's 2004 report to the Legislature, these closed areas have increased the populations of the most heavily harvested aquarium fishes both inside and outside the closed areas, while during the same time period the overall take and dollar value of this fishery have increased.

This experiment has clearly demonstrated that area closures can be mutually beneficial for both fishes and fishermen.

By mandating that any area closure be automatically reopened after three years, this legislation also demonstrates a clear lack of understanding of fisheries biology, given that the reproductive cycles of many reef and bottomfish are such that they do not reach reproductive maturity for 5–7 years.

As a result, the requirements of this bill would all but guarantee the failure of area closures as a management strategy by allowing fishermen to deplete recovering stocks prior the point at which they become capable of once again reproducing.

The Hawaii Fishery Advisory Task Force proposed in this bill is heavily slanted toward and numerically dominated by fishing interests, and as set forth would guarantee that such interests could consistently dominate such a task force, given that "…concurrence of a majority of the members in attendance shall make any action of this task force valid."

As such, this task force is no more than an autocratic process masquerading as a democratic process, and would not provide a representative approach to marine resources management.

Instead, it would give policy guidance over to a minority special interest, in violation of the State's public trust responsibilities as set forth in Article 11, Section 1 of the State constitution.

Instead, we suggest that the functions proposed for this task force can more representatively and responsibly be accomplished within the framework of the scientific and native Hawaiian advisory bodies to the Board of Land and Natural Resources proposed in HB 1788.

Fishing is undoubtedly an important activity in Hawaii, and research by the Department and the Hawaii Coral Reef Initiative Research Program indicate that approximately 250,000 people in Hawaii participate in either recreational or commercial fishing at some time during each calendar year.

We believe their particular special interests, no matter how well funded and articulated, cannot be allowed to disproportionately dictate the aquatic resource management agenda for the remaining citizens of Hawaii, because this would once again violate the department's public trust responsibilities as specified in Article 11, Section 1 of the State constitution.

For these reasons, the Department has serious concerns about our ability to effectively manage the marine resources if this bill were to pass. As noted, the Department relies on the best available science and utilization of the various management tools available. This bill will unreasonably tie our hands, particularly at times when management options must be implemented in order to protect the resources. We oppose this bill.

Thank you for the opportunity to testify.

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

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

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

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

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Berg, Bertram, Green, Hanohano, Morita, Pine, Shimabukuro, Thielen and Wakai voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 546) recommending that H.B. No. 1946, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 547) recommending that H.B. No. 402, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 402, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Ito and Yamane, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 548) recommending that H.B. No. 249, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 249, entitled: "A BILL FOR AN ACT RELATING TO HUNTING TOURISM," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 549) recommending that H.B. No. 839, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 839, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 1028, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1028, entitled: "A BILL FOR AN ACT RELATING TO WALKING TRAILS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 551) recommending that H.B. No. 1029, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1029, entitled: "A BILL FOR AN ACT RELATING TO BEACHES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 552) recommending that H.B. No. 1388, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1388, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCEAN AND COASTAL COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 959, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 959, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Ching's written remarks are as follows:

"Thank you Mr. Speaker. I rise in strong support of House Bill 959, Relating to Iolani Palace.

"The Association of Hawaiian Civic Clubs (AHCC) firmly supports HB 959, and any form of relief for 'Iolani Palace, a *wahi pana* rich in sacred, cultural, and historic significance. This was the site of Ka'ahaimauli heiau, the first western-style mausoleum for the remains of *ali'i*, and (at various times) the residence of Kalanimoku, Kamehameha III, Kekauluohi, Kamehameha IV and Emma, Kalama, and Kina'u. 'Iolani Palace served as the Kingdom of Hawaii's seat of government as well as the heart of the Kingdom's social structure, and was the setting of the coronation of Kalakaua and Kapi'olani. The historic significance of the palace and palace grounds are undeniable

"HB 959 seeks to exempt 'Iolani Palace from the standards and conditions related to the receipt of funds contained in chapter 42F, Hawaii Revised Statutes (HRS).

"The Chapter 42F conditions place too many restrictions on those who seek to provide stewardship, in the form of operation, maintenance and preservation, for 'Iolani Palace. The current stewards, the Friends of 'Iolani Palace, need to be able to apply directly for funding and grants, and should be able to apply directly for funding and grants, and should be able to receive such funding in a direct and timely manner to respond to immediate needs and concerns.

This exemption will ease the Palace operations and budget and will be useful for the Friends of 'Iolani Palace to ensure its ability to preserve, restore, interpret and share the sacred, cultural and historic significance of the palace.

"Passage of this bill would accord 'Iolani Palace the same exemption as that currently provided to the Bernice Pauahi Bishop Museum under §6E-40, HRS."

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

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of HB No. 959, Relating to Iolani Palace

"Mr. Speaker, the purpose of this bill is to provide some financial relief for the costly maintenance and operation of Iolani Palace, which has the distinction of being the only official state residence of royalty in the United States. The bill would exempt the Palace from standards related to the receipt of funds in Chapter 42F (Grants and Subsidies).

"The bill will allow the exemption for the Friends of Iolani Palace, but not for providers contracting with the Palace.

"We should do more to assist in this effort, and HB No. 959 is a first step to do this. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 959, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 1516, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1516, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I rise in opposition to this measure. Mr. Speaker, for some of the freshman class that were here, this issue of moving Honolulu Marine to Keehi Boat Harbor came before this body a couple years ago. I opposed it then and I oppose it now.

"To have the private sector to move out of Kewalo Basin, I didn't agree with the movement at that time and I still don't agree. I believe that having this boat repair, ship building facility is giving, number one, advantage. It could go out potentially to Barbers Point. My argument at the time was I thought the Department of Transportation should be at the table talking about the future of our harbors and where we should put ship building facilities. They should be appropriately put in commercial harbors or industrial areas. In fact they want to put this ship building facility at a small recreational boat harbor.

"Our small boat harbors are in disrepair all over. I would like to see this money that they're asking for, $4 million, to be put into small harbors across the State instead of moving Honolulu Marine and really fixing the harbor or putting money into the harbor for this ship building company. I just think it's the wrong expenditure of money. Thank you."

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

"Thank you, Mr. Speaker. I'm rising with some strong reservations. I understand what the State's trying to do. They're trying to get them out of Kewalo Basin. Honolulu Marine still has quite a few years left on their lease. We've given them a pretty sweetheart deal on land over there at Keehi Lagoon. This bill as originally drafted asked for a $4 million appropriation which I agree with the good Representative from Waimea. I'd like to see that kind of money go into the small boat harbors that are in such poor repair right now. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1516, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR," passed Second Reading and was referred to the Committee on Finance with Representative Evans voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 555) recommending that H.B. No. 38, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 38, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of HB No. 38, HD 1.

"As a Representative from Kauai, I strongly support this bill that repeals the sunset dates of several laws that limit the liability of the State and county governments relating to public use of certain public lands, public beach parks and the acts of lifeguards.

"Kauai recently had an accidental death of a visitor who went beyond the guard rails, and the liabilities are yet to be determined. Fortunately, the liability protections in place with the present law should reduce the exposure of the State and county governments to substantial damages.

"I also strongly support the permanent exception from liability for the acts and omissions of county lifeguards while acting in the scope of employment. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 38, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE AND COUNTY GOVERNMENTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 556) recommending that H.B. No. 845, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 845, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"With reservations, Mr. Speaker. I'm concerned, after looking at the measure, that it may adversely affect our tourism and charter boat industry. In addition, the prohibition against advertising may also affect First Amendment rights. So, I rise with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 845, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FEEDING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 557) recommending that H.B. No. 1843, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 558) recommending that H.B. No. 1179, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1179, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in support of Stand. Com. Rep. No. 558, H.B. 1179. In the year 2004, the Mayor of the County of Hawaii declared a state of emergency pertaining to the infestation of the coqui frog on the Big Island. In the succeeding years, the State Legislature has been generous in providing support.

"Throughout these years we must continue to support the war against coqui frog infestation and eradication on the Big Island which is in such a critical state. I rise in support. Thank you very much, Mr. Speaker."

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

"Mr. Speaker. Like the Representative from Hawaii Kai, I rise in support because we, too, have the same problem. It's growing. It's small, but we hope to learn from our colleagues from the Big Island."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1179, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COUNTY OF HAWAI'I FOR COQUI FROG ERADICATION AND CONTROL," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 559) recommending that H.B. No. 902, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 902, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 902, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 560) recommending that H.B. No. 715, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 715, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Carroll's written remarks are as follows:

"As stated in the bill, the water on Lanai is provided by a private company that has increased its water rates to such a degree that agriculture is not economically feasible for any farmer. The creation of an agriculture industry necessitates assistance in payment for the water. The Lanai Water Company, a privately-owned company that provides water on Lanai, has offered a match of any water subsidy provided by the State to pay for the purchase of water by farmers on Lanai. It would be in the best interest of all for the creation of an agriculture industry on Lanai, to provide assistance to Lanai farmers in purchasing water.

"I humbly request the support of my colleagues to vote "yes" on HB No. 715 so our farmers on Lana'i who desperately need your assistance in making sure that farming and the agriculture industry continues.

"I thank you in advance for your support of HB No. 715."

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

"Thank you, Mr. Speaker. I would like a ruling on a potential conflict. My sister is a farmer on Lanai. Lanai is really, really small, and so she is one of the few farmers there," and the Chair ruled, "no conflict."

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

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I rise in strong support. During these times of growing financial uncertainty; as we hear news of our economy cooling soon, this body may question why it should hoist the operations of a company already providing a service of water delivery to the people of Lanai. This body may even be worried that this will put one class of customers above another as those who are not farmers will not enjoy the same benefit of a subsidy. Yet the reality is that by doing this we will be helping the farmers of Lanai to succeed in producing locally grown crops that can compete across

the State due to the higher profit margin. Such success will undoubtedly breed more success and this will spur the growth of the agriculture industry and create great job opportunities.

"The timing couldn't be better, Mr. Speaker, as a new bio-diesel plant will be starting up in Maui in 2009 and will be looking to acquire local feedstock for Maui Electric's generators. Those of us who know Lanai, know that the community as a whole is ready to make the sacrifice of disparate rates *vis a vis* this bill to provide the growth of a stable economic source for the island – one that will have the added benefit of keeping the country, country. It will also benefit the entire State by diversifying its economy, providing an alternative food stream and create additional revenue for the State in additional G.E.T. taxes and property taxes for the County.

"In the long run this is an investment whose portfolio will be quite diverse in its aggressive returns for an island worthy of our Aloha."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 715, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF WATER FOR AGRICULTURAL USE ON LANAI," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 561) recommending that H.B. No. 1221, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1221, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 562) recommending that H.B. No. 882, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 882, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS ACCOUNT PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 563) recommending that H.B. No. 1447, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 564) recommending that H.B. No. 1590, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1590, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 565) recommending that H.B. No. 1256, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 566) recommending that H.B. No. 1212, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1212, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you. Mr. Speaker, I'm rising to cast a protest no vote against Stand. Com. Rep. No. 566. It's a protest no vote, Mr. Speaker. The bill is the Judiciary budget. My protest is that the Judiciary is forcing the Family Court to move out to Kapolei. They supposedly are going to keep one token courtroom Downtown. But what this does to people who represent East Honolulu, who represent the Downtown core, and who represent any area on the Windward side, what it does is it means that members who are involved in litigation are going to have to travel all the way to Kapolei for the myriad of hearings that are held on Family Court matters. It's going to be a very big expense in paying for the attorney's fees for that added travel time. It's going to be a very big emotional expense for families that have to go through that to get out to Kapolei.

"I note that the Family Court bar has tried valiantly to talk some sense into the Judiciary, but they have been able to really prevail. The Judiciary has been insistent on having a nice new building in Kapolei and saying that all the Family Court judges, with the exception of one that might ride circuit in here Downtown, all Family Court judges will be out there. That may suit the Family Court judges, but it certainly doesn't serve the people of Hawaii that don't live in those regions.

"So, it's a protest vote, Mr. Speaker, and I would hope that some sense could be brought to this before this bill gets through and that the determination of the Judiciary to put everyone out in Kapolei, that there could be some consensus building and a better solution to it than this bill will allow. Thank you."

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

"In strong support, Mr. Speaker.

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

"Mr. Speaker, with strong reservations. I share the comments with the previous speaker, the Representative from Kailua. And it pains me when I share the comments with the speaker from Kailua. I believe that the bulk of the population is in the East area and is going to create a terrible hardship on the population here. I would wish that the Finance Committee take a very good look at this measure. Thank you very much, Mr. Speaker."

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

"I am equally aggrieved as the Representative from Maui, with reservations. And to know that the Waimanalo Neighborhood Board unanimously voted that this is a fair and undue hardship for the people who have to go to the Family Court all the way out from Waimanalo to the other place.

"But I think we have to remember that we stated that, that was going to be a Second City. It's still not a Second City, and who are we putting the first burden to? It's a regressive thing for those people who have to go that far out and who totally can't afford that by time or by money. So, I agree with the speaker from Maui. We are aggrieved."

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

"Thank you, Mr. Speaker. I'm rising with some strong reservations. I couldn't agree with the Representative from Kailua more. I would hope that they would come up with some kind of a compromise. I think the Judiciary does need a building out there, but they don't necessarily have to move all of the Family Court out there. Thank you, Mr. Speaker."

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

"Mr. Speaker. In support. I just wanted to point out that if you go to Family Court on any given day and look around at who's sitting there, I would venture to say that over half, if not more, are people from the Leeward Coast. And these people are here for matters often with CPS, divorce, all kinds of different matters like that, very frequently low income clients. And I understand what they're saying it's a burden for Downtown attorneys to have to drive out that way, but who's been suffering with this burden all these years? It's been these people that have much less in terms of resources and have to get up at the crack of dawn while it's still dark.

"Hearings start at eight. You have to check in at eight, and you show up, and you sit there, and you have no idea when you're going to really get to go. And, so, if you're lucky enough to have a car, you have to go back to your meter. It's a real hardship. And these are the same arguments, Mr. Speaker, that people brought up when they brought other State and county services out to Kapolei, and now, if you talk to those government workers that are there and the people that go there, they really like being Kapolei. Now you're going against traffic, the parking is much easier, and it's also lessening our traffic situation that's been horrendous. It's going to be painful for now, but it's growing pains. And I think that eventually the move will help us all in the long run. Thank you."

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

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

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker. Just one brief comment. There was an earlier discussion about the Ewa Development Plan, that we should forego the 16,000 homes because of the Ewa Development Plan.

"Now, the Courthouse is part of the Ewa Development Plan, and the same people that were opposing that measure are now against this issue, which is part of the Ewa Development Plan. And I think this matter now being discussed is contradictory, and I am totally confused where they really stand stand. Thank you, Mr. Speaker."

Representative Meyer rose to respond, stating:

"Mr. Speaker, just to add something and I hope to add some clarity. I was not against the Judiciary building being built in Kapolei. I think that the Campbell Estate was very generous and it is the Second City. I just question the wisdom of moving all the Family Court out there. You could have a Circuit Court and a Family Court. You don't have to take all the Family Court business out there. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Second time on this. I understand what the Chair on Housing was saying, that 50 percent of the people that are in the Downtown Family Courtroom area are from the Kapolei area. Fine. Build 50 percent of the Family Courtroom out in Kapolei. Keep the other 50 percent downtown. Otherwise, we just totally flip and have the exact same problem with 100 percent of the people having to sit in the courtrooms out in Kapolei and they will be from that area. At least 50 percent of them will be. It makes no sense, Mr. Speaker."

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

"I stand in support of the measure, and I'd like to say in response to the last speaker's comments. I think 25 percent of the people are in Mililani, Wahiawa and North Shore area. So that makes 75 percent of the people living near Kapolei."

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

"I declare a potential conflict, Mr. Speaker. I actually practice in the Family Court, so I will be using that courtroom with pleasure," and the Chair ruled, "no conflict."

Representative Sonson continued in support of the measure, stating:

"I do feel sorry for the attorneys that are from Downtown and from Hawaii Kai and Kailua because they have to travel all the way down to the beautiful Second City of Kapolei. But you know, we built that H-3 so people from Kailua and Kaneohe shouldn't have such problem. Most of the hearings are in the morning and the drive is quite nice.

"Also, for the rest of the population are not heading for court. A lot less of these cars from the Leeward side will be traveling to town during the rush hours, so this is a good way to reduce traffic."

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

"Thank you, Mr. Speaker. I rise in support. Just to clarify. Look at Stand. Com. Rep. No. 566, H.B. 1212, Page 5, the Judiciary Committee zeroed out the money for the Kapolei Complex. The Judiciary was asking for $15 million and we put zero. If you were at the hearing, we asked the Judiciary to consider keeping a few courtrooms in Honolulu and that's why we put the zero.

"To those of you who voted against the budget, might want to actually support the zero. And those of you out from Waianae and the Leeward side, might want to actually vote no, against this. Just to let you know what you're voting on and what the intent of the Judiciary Committee Chair was.

"Also, we're hoping that we can work with the Judiciary to include a few courtrooms in Honolulu, and, of course, have the bulk of the courtrooms in Kapolei. Thank you."

Representative Thielen rose, stating:

"Thank you, Mr. Speaker. I'll just change my vote to an aye with reservations. I'll watch that zero to see that the compromise is reached."

Representative Pine rose stating:

"I might as well change support to a vote with reservations. I'm in strong support for the Kapolei Complex, but against that zeroing out. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 567) recommending that H.B. No. 26, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 26, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise with reservations on this bill. It establishes salaries for the members of the Board of Education. I believe that this will set a precedent for other Boards and Commissions. My understanding is that the Land Use Commission's responsibilities and efforts are at least equivalent if not more than the Board of Education.

"Setting this precedent with the explanation of the Board members' deserving salaries because of the multitude of responsibilities they have could signal to others the lack of worth of other Board and Commission members' time and efforts. These volunteers and the positions they hold are extremely important. Let's not hold one group more valuable than the others."

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

"Thank you, Mr. Speaker. With strong reservations. The purpose of this bill is to compensate the members of the Board of Education, and this will become effective on July 1, 2007. I think that every election year we don't have any problem getting people to run for the Board of Education. This is kind of a changing of the game in mid-stream. It actually has two different amounts, one for the Chairperson, and one for regular members. I think there should be a lot of public hearings on this before we take this step. Thank you, Mr. Speaker."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 26, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 568) recommending that H.B. No. 520, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 520, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker. I rise in support of this bill with reservations. I was looking at the Committee Report. I think I might have preferred the original version of this bill that would have changed the formula in determining how much employers have to pay into the Unemployment Insurance Fund.

"Since it's over half a billion dollars already, I feel that we should do something now to change the formula to lower the amount paid into it, rather than throw it to the LRB for study. Sure we could study it and maybe we could change things depending on the study. But I think we should cut the flow of funds in to the Unemployment Insurance Fund now, either reduce it or have a moratorium. And I think five years would be fine. Thank you, very much."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 569) recommending that H.B. No. 988, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 988, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 988, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 570) recommending that H.B. No. 194, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 194, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No.

571) recommending that H.B. No. 200, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 572) recommending that H.B. No. 646, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 573) recommending that H.B. No. 116, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 116, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Herkes and Evans, for the Committee on Consumer Protection & Commerce and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 574) recommending that H.B. No. 1006, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1006, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 575) recommending that H.B. No. 906, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 906, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 576) recommending that H.B. No. 1361, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1361, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 577) recommending that H.B. No. 1002, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1002, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill 1002, which I along with a number of colleagues introduced as part of our House Majority Package.

"This bill is one of many that have been submitted to address the housing crisis we are facing today. It targets the practice of real estate speculation, which is adversely affecting the affordability of homes throughout our islands. It penalizes, though a graduated anti-speculation tax, those who buy and re-sell real property within short periods of time; that is from less than 6 months, up to 24 months.

"Your Committee on Human Services and Housing took to heart much of the constructive criticism and helpful suggestions made by those who testified in public hearing. The HD1 before you reflects their input.

"In response to the Department of Taxation, which noted that the original bill appeared to punish every homeowner, regardless of whether the property in question was their primary residence, HD1 adds language that new tax shall not apply to properties that qualify for county homeowners' exemption.

"The Department further noted that the bill failed to consider military personnel and others who may have to sell due to unforeseen circumstances. The HD 1 addresses these concerns with language exempting military personnel selling property as a result of military relocation orders, as well as those who are compelled to sell a residence due to change in employment or for health reasons.

"The Hawaii Association of Realtors questioned why the sale of unimproved property was not subject to the proposed tax increases. Their testimony envisioned a scenario whereby an investor could demolish a property with existing improvements, evict the tenants, and sell the vacant lot to avoid the anti-speculation tax. In response to this concern, the HD 1 states that the sale of unimproved property shall be subject to this tax.

"Mr. Speaker, I believe House Bill 1002, in its amended form, is a good bill. It deserves the support of my colleagues and should be passed on to the Finance Committee for further consideration."

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

"Mr. Speaker, in opposition to 577. Mr. Speaker, I think this is in the right direction, but maybe a better or more improved vehicle could be found. You know, sometimes the Representative from Hawaii Kai talks about DNA, and at times I share some DNA with the Representative in that this is a tax increase. And so, in a sense he's like a brother from another mother. So, I'll leave it at that. Thank you."

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

"Thank you, Mr. Speaker. I've got some of that DNA. With reservations, please."

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

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

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

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

Representative Ward rose, stating:

"Mr. Speaker, just for your information. The DNA on which my colleague speaks of was genetically modified from the Representative from the Finance Committee. Just for your information."

Representative Shimabukuro rose to respond, stating:

"Mr. Speaker, I just want to follow up and just let the body know that the Committee on Human Services and Housing took heart in much of the constructive criticism and helpful suggestions that were made by those who testified, and the HD 1 reflects that input.

"In response to the Department of Taxation which noted that the original bill appeared to punish every homeowner, regardless of whether the property questioned was their primary residence. The HD1, adds language that the new tax shall not apply to properties that qualify for the county homeowner's exemption. The Department further noted that the bill failed to consider military personnel and others who may have to sell due to unforeseen circumstances. The HD 1 address these concerns with language exempting military personnel selling properties as a result of military relocation orders, as well those who are compelled to sell a residence due to change in employment or health situations.

"The Hawaii Association of Realtors questioned why the sale of unimproved property was not subject to the proposed tax increases and their testimony envisioned a scenario whereby an investor could demolish a property with existing improvements, evict the tenants and sell the vacant land to avoid the anti-speculation tax. In response, HD 1 states that the sale of unimproved property shall also be subject to the tax. I believe that this bill in it's amended form is a good bill and deserves support of my colleagues. It should be passed on to the Finance Committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1002, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Finance with Representative Brower voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 578) recommending that H.B. No. 1942, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1942, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. This starts to answer what I've considered unjust. Hawaii's broad based GE Tax taxes food, rent, rental housing, and necessary medical services. Not taxing the food recommended by the WIC program is a step in the right direction. Costs are rising, Mr. Speaker. The dollar is shrinking. Let's help our residents and families try to keep up with inflation especially when it comes to purchasing essential foods."

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

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

"Yes, in support. Mr. Speaker, the bill proposes to provide a tax exemption for WIC foods. These are the basic food items, and it's not only for the poor. It's for the entire State, the entire population. We feel that if they have a healthy start, they'll have less of a chance of having problems in the future, so, I humbly support this measure. Thank, you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 579) recommending that H.B. No. 471, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL APPLICATION FEES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 580) recommending that H.B. No. 1737, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1737, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 581) recommending that H.B. No. 1832, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1832, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 582) recommending that H.B. No. 260, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 583) recommending that H.B. No. 844, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 844, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF REAL PROPERTY IN WAHIAWA, OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 584) recommending that H.B. No. 1621, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1621, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 585) recommending that H.B. No. 652, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 652, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 586) recommending that H.B. No. 408, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Ito and Souki, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 587) recommending that H.B. No. 250, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 250, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Cabanilla and Yamashita, for the Committee on International Affairs and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 588) recommending that H.B. No. 31, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 31, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto and Ward voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 589) recommending that H.B. No. 1547, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1547, HD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB1547 HD2.

"I was privileged to attend the first ever International Symposium on Tollways and Highways held in Athens, Greece last summer. The information that I garnered to tackle our lane deficient islands was fantastic and promising. It resulted in the introduction of numerous public-private-partnership bills that are now before us.

"Over 500 engineers and financiers from over 22 countries shared their expertise at the symposium. Not too long ago, Athens held the Summer Olympics whereby they constructed over 90 miles of highways in less than five years. How did they do it? The answer lies in providing the means to have the private sector involved. Without the private sector, here is what happens:

"The North-South Road in Ewa being constructed today is roughly 3 miles long and took the State DOT almost a decade to merely plan and design. Another example is when the Legislature in 1999 provided $4 million to the State to build a bike path known as the Leeward bikeway yet today, the State has yet to build an inch.

Simply put, the Stated does not have the personnel, resources, and financial reserve to do what needs to be done.

"Colleagues, we are in a transportation crisis. Let's bring the next International Tollway and Highway Symposium here in order to have hundreds of transportation experts and financiers from all over the globe assist us in resolving our crisis. For your information, the government of Greece contributed roughly a quarter of a million dollars to host the symposium.

"I urge all of my colleagues to vote yes on this measure. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1547, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 590) recommending that H.B. No. 189, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIP FEES," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 591) recommending that H.B. No. 714, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 714, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 592) recommending that H.B. No. 1446, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1446, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 593) recommending that H.B. No. 349, pass Second Reading and be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 349, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 594) recommending that H.B. No. 277, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 277, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 595) recommending that H.B. No. 534, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 534, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 596) recommending that H.B. No. 772, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 772, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 597) recommending that H.B. No. 931, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 598) recommending that H.B. No. 1426, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1426, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED PLEAS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 599) recommending that H.B. No. 1429, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1429, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 600) recommending that

H.B. No. 1609, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1609, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in support of Stand. Com. Rep. No. 600, HB 1609. This bill will expedite the repair of vital State roads and highways.

"Kamehameha Highway in my district runs along the shoreline from Kualoa all the way to Laie. Storms and high surf have undermined sections of the highway in my area, Kaaawa being one of the most critical. Under present law, the Department of Transportation must comply with the County Special Management Area Permit requirements before they can begin repairs no matter how urgent the situation is. By allowing the Department of Transportation to be exempted from this process, the public will be assured of access to all areas served by the highway the integrity of the road can be preserved in a more timely fashion.

"Mr. Speaker, I would encourage all my colleagues to support this important measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1609, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 1101, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 602) recommending that H.B. No. 1205, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1205, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ABSTRACTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 603) recommending that H.B. No. 252, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 252, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 252, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAXES FOR SPECULATIVE SALES," was referred to the Committee on Finance with Representatives Brower and Marumoto voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 604) recommending that H.B. No. 1631, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1631, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 605) recommending that H.B. No. 1752, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1752, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 606) recommending that H.B. No. 704, HD 1, as amended in HD 2, be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 704, HD 2, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

Representative Carroll's written remarks are as follows:

"Referred to by native Hawaiians as *kalo*, taro (Colocasia esculenta) is a crop of great cultural and spiritual significance to Hawaii's indigenous people, the *kanaka maoli*. More than simply a highly-prized food staple, the *kalo* plant is also considered to be the divine ancestor of man. As documented in the *kumulipo*, the sacred Hawaiian genealogical chant charting the creation of the universe, the sky father, Wakea, and the earth mother, Papa, conceived a daughter named Hoohokulani, with whom Wakea later conceived a second, stillborn son named Haloa-naka. Out of his grave grew the first *kalo* plant. Soon thereafter, Wakea and Hoohokulani had a second son, also called Haloa, who became the first human being. Therefore, in kinship terms, taro is the elder brother of the Hawaiian people, nourishing and watched over them for generations.

"This spiritual relationship between *kalo* and the *kanaka maol*i is expressed metaphorically in the concept of '*ohana*, the Hawaiian word for family. Like the family system, taro sprouts forth from a single root which, when finally harvested, is reborn yet again via root cuttings that are broken off and then replanted for the next season. Thus, in Hawaiian epistemology, life itself will not die so long as the living waters of the soul continue to nourish it. As testament to the strength of this world view, native Hawaiian farmers have used their horticultural skills to successfully maintain roughly seventy varieties of taro, the majority of which are unique to the Hawaiian Islands.

"The cultivation of *kalo*, then, intrinsically ties the interdependency of the past, present, and future as the essence of procreation and regeneration, thereby forming the foundation for any sustainable practice. *Kalo* not only expresses the spiritual and physical wellbeing of the *kanaka maoli* and their heritage, but also symbolizes the environmental, social, and cultural values important to the State. This relationship is symbolized in the use of the *kalo* plant upon the crown of King Kalakaua and, today, in the logo of the Office of Hawaiian Affairs, along with many commercial enterprises across the State.

"The purpose of this Act is to acknowledge, preserve, and perpetuate the importance and use of *kalo* in the heritage of the State by establishing a five-year moratorium on the testing, propagating, cultivating, raising, and growing of genetically modified taro in Hawaii."

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

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of HSCR 606, HB No. 704, HD2: Relating to Genetically Modified Organisms.

"Your Committee on Energy & Environmental Protection heard impassioned testimony from taro farmers to cease and desist on improving the taro species by genetic modification. Their concerns came from many fronts: their heritage of the *kalo* plant, the possible side effects of genetic modification to taro and other crops, and the finances being spent in an area that did not need or want help.

"I agree with the five year moratorium that the amended bill places on testing, propagating, cultivating, growing and raising genetically engineered taro. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 704, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," was referred to the Committee on Consumer Protection & Commerce with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 607) recommending that H.B. No. 1114, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 608) recommending that H.B. No. 1830, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1830, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I stand in opposition to this measure, as I have stood many years now on this measure. Maybe I can have a ruling on a conflict. Mr. Speaker, I am an adopted child," and the Chair ruled, "no conflict."

Representative Ching continued, stating:

"I am an adopted child and had a very good fortune to have been adopted by my own side of the family, my father's side. And I'm grateful every year of my life when I see how wise my father was because now that I'm a mother, I understand even more how important this tie is.

"Mr. Speaker, I strongly oppose this measure. I appreciate, and I want to underscore, I truly appreciate the intent of this bill because protecting our State's children from harm and abandonment is, indeed, a noble cause. The issue of safe haven bills are a difficult issue to address because while attractively titled, the bill is so well-intentioned, it's a well-intentioned attempt of public policy that however comes with unintended adverse consequences.

"First of all, I'd like to point out that this bill is unnecessary because while the problem of new-born abandonment may be a problem in other states, the State of Hawaii does not experience these problems as do mainland states. It is perhaps because of the support system and the connectivity and the tradition that our island holds, called *hanai*. The colleagues who may speak Hawaiian, they understand *hanai*, and that it translates to 'gift'. Because the understanding of Hawaiians was that their child was a gift, and that to give my child to someone was the most highest compliment and the best gift I could give to someone. So, there in the extended family it is commonly recognized as integral part of the nuclear family.

"In Hawaiian cultural practice of open adoption called *hanai*, it is still common practice. And there is no evidence that this measure will effectively address that problem. It is basically, with no offense at all intended, it is a mainland solution to a problem here where we have more culturally sensitive solutions, and a different kind of environment. Research indicates that even states with safe haven laws, women continue to leave babies in unsafe areas.

"To quickly explain what I think this measure addresses, Mr. Speaker, is that in the case of some women who have had, or having a child who is going to give birth, perhaps, they are distressed, perhaps they are frustrated, they are fearful. But instead of taking a look at the white pages, or the yellow pages, instead of reaching out to anyone they have confidence in, these individuals, this bill of course presumes, will leave a child in a rubbish can or unsafe situation. In thinking about the profile of a person who does that, you think about the profile of a person who is either, like I said,

distressed, or perhaps, not aware or educated as to the services involved. That's the real problem, Mr. Speaker.

"The problem is education. They are not aware of the services available to them. So, basically, you have a person who we are afraid is going to be using this measure saying let's drop off the baby with absolute no guarantee. I appreciate the amendment to this bill that says it will be requested. On page 8 it says here, provided the newborn is unharmed. But they will not prevent the child from being dropped off, if the person decides to still drop it off anonymously. There's no way to guarantee that and no way to enforce it.

"So, essentially, it boils it down to what my opposition to this measure is this. We would be opening the door to what we call 'woodworking' in the Legislature. To those who would usually go to a grandparent or a parent, and give their child to a parent and say, 'Look mom and dad, I have a … '"

Representative Pine rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you. Instead of what is currently the situation with most people who would have the, I suppose, sense of mind to just look in the telephone book, you're going to get those types of people dropping off children. People who currently, the profile of a person, a mother who would go to their mom or dad or aunt or uncle and say, 'I have a problem. Can you help me?' And grandma and grandpa will take the baby and loves it and raises it. It's great. It's these kinds of people who will be using this bill because I contend that the profile of a person, and I ask my colleagues in this House, the profile of a person who would drop off a baby in a trash can is not going to be aware of Hawaii Revised Statutes. That's not the profile of a person who knows the law has changed. So, we have a problem. Our heritage is important. We know it is the strength of our people and with this bill, we cut it off for all children and their children, and their children. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support, Mr. Speaker, strong support. I have complete respect to the speaker from Liliha and Nuuanu. Mr. Speaker, we've got 47 states right now. We've got 47 states that have already enacted safe haven laws. In fact, there are only three states, Alaska, Hawaii, and Nebraska that have yet to enact this type of legislation. Mr. Speaker, all three states that I've named have legislation before them in their Sessions today.

"Mr. Speaker, this is very important. We are talking about the life of a newborn baby. Mr. Speaker, the testimony that we heard at the Health hearing was compelling. We had a paramedic that said that she delivered and saved ten babies. That's evidence that shows that we are having babies that are being delivered on the spot. In fact, I was concerned there was a 12 year-old that didn't even know she was pregnant. That was the testimony of one of the paramedic. So concerned are the paramedics that they had asked that the language be amended to place them as also a safe haven, which we did.

"Mr. Speaker, regarding the concerns of the Department of Human Services, they too have a concern. And when I asked questions, the answer by the Department representative was this, and I quote, 'This is not common.' I'm kind of perplexed by that answer, 'This is not common,' because I asked her again, 'How can you say this is not common if we are losing a life? A life of a newborn baby?'

"Mr. Speaker, the bottom line is this. It comes down to a balancing test. Unfortunately, the Department of Human Services looks at it as a balancing test. Again, the word I use is 'perplexed' because if you're weighing the life a newborn baby versus a medical data that we can get from the mother, to me, it doesn't even preclude logical reasoning. We are talking about life here. And a life is so important versus any medical history or data that we can get from the other. I just don't comprehend it.

"And I want to say another thing. If we have babies that are put in dumpster, they are not going to be a statistic. We are not going to know, because that will never come up. They're never going to be seen and charged. We will never have that data because that's going to be gone with the trash. We need this legislation, Mr. Speaker.

"Finally, Mr. Speaker, if we won't help our newborn babies, who are the most innocent and vulnerable in our population, who will? This measure will. Again, 47 states already have it. Three states are looking at it right now. I'd hate to be number 50 and lose any more. If we can save just one life, it's well worth it. Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm rising in opposition to this measure. I guess I'm a little perplexed with the argument here because this is about the fifth year that I have introduced a bill on late term abortions, and I can't even get that bill heard. If we are so concerned about the life of a baby, that bill should have been heard."

The Chair then stated:

"Representative Meyer, you are out of order with that statement."

Representative Meyer continued, stating:

"Well, it's a matter of weeks and months. One baby is born, the other is still *in vitro* so I think that the arguments that the Representative from Liliha makes …"

Representative B. Oshiro rose to a point of order, stating:

"Mr. Speaker, point of order. You have already made a ruling so unless she is challenging your ruling, you should ask her to sit down. Thank you."

The Chair responded, stating:

"Representative Meyer, please proceed with the bill that is before us and not the issue ..."

Representative Meyer continued, stating:

"I have gotten up in opposition of the bill, but with the sentiments of the value of life and value of these babies. We are talking about a difference of weeks when we talk about late-term abortion and the babies that are unwanted. Thank you."

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

"Thank you, Mr. Speaker. I am in support of this measure. Just very briefly, I do respect, again, the comments from the Representative from Liliha. My concern is that sometimes faxes from the mainland find their way to Hawaii, and it has been a very big problem on the mainland with young mothers abandoning babies.

"We have very high teen pregnancy rates in Hawaii in some areas, and we just don't want to see that happen, so we want to err on the side of protecting those children and we will do everything we can, I think, legislatively to encourage were possible extra biographical information for these children because they will be loved, whether they are *hanai* or adopted or just taken in by the hospital to be safe. We want them to have family history, but we want them to have life first and foremost. Thank you, Mr. Speaker."

Representative Ching rose to respond, stating:

"I just want to comment. I did want to offer also that I do have a bill that is Project Cuddle that approaches the real solution, which is education. We have absolutely no proof that any child will be saved, but I will guarantee you lives will be ruined.

"I ask that my colleagues bear in mind babies that we so love and adore, and we are so concerned about and it's like two parents who love a child, but just differently and want different things for them. Children grow up. Babies grow up. They're not just cute things for us. They grow up. And if you talk to adopted children, if you have interviewed people of adoption circle, they will tell you, I would give my right arm to have any shred of information. This guarantees ruining lives, but it does not guarantee saving them. Thank you."

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

"I rise in support of the measure with a heavy heart, and with restricted freedom to make a lot of comments. As an adoptive parent, I speak from experience that abandonment is better than abortion. Abandonment is better than infanticide. Abandonment is better than death. I think that's what this bill is all about. It's not about raising adopted kids, which I am learning every day about. It's about keeping them alive from the beginning and giving them an alternative that is safe.

"And I wanted to mention one other thing. I was inspired by the EMS personnel who testified before the Committee who said, 'Put me into this bill because I had this happen to me.' They're abandoning kids. So, this is for the good, and notwithstanding all of the comments from my colleague, this is the only right thing to do at this time. And other issues that involved some of her comments, I think can be taken on another measure."

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

"Mr. Speaker, I'm in favor of this measure. I want to thank the Health Chairman for introducing this measure as part of the Keiki Caucus package. I think it's a very necessary bill because I do believe it will save lives. If we do not pass this, a mother can be charged with child abandonment and this would give her a degree of immunity. And rather than just abandon a child, we want them to leave them in a safe place. Thank you very much."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1830, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Ching and Meyer voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 609) recommending that H.B. No. 1167, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1167, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like a ruling on a potential conflict. I work for a homeless veteran shelter and I notice that this deals with homeless shelters," and the Chair ruled "no conflict."

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

"Thank you. A potential conflict, Mr. Speaker. My daughter-in-law, Laura Ellis Thielen is in charge of the Homeless Alliance Group," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1167, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOMELESS SHELTER PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 610) recommending that H.B. No. 220, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 220, HD 2, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in strong support of this measure. This measure would limit the amount of non-economic damages that will be awarded to medical tort actions. The cost of malpractice insurance is really driving a lot of very fine physicians out of our State, obstetricians, orthopedic surgeons. Huge costs played a pretty big part in the financial woes of Kahuku Hospital out in my district. I noticed that on the Committee Report virtually all the testifiers were in favor of this. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. I rise with reservations. As this body well knows, there is a perfect storm brewing out there with rising healthcare costs and an aging population, shortages in doctors and nurses and a lack of access to health care for all of the communities in this State, and in particular our rural communities.

"I appreciate that tort reform is being considered by this body, and I look forward to the continued and lively debate that should occur in the Judiciary Committee. I also look forward to the debate among all of our members and in the public discourse. I urge that with this measure that we as a body, also continue to look at other parts of the solution, including increased reimbursements to our medical facilities and providers. Thank you, Mr. Speaker."

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB220, HD2. I am thankful that the House has decided to take a serious look at the role that medical liability insurance costs is contributing to the access to healthcare issue. The situation is not a healthy one with these premiums rising sometimes 10 times more than the year previous. Our hospitals are facing skyrocketing malpractice premiums because all of the licensed hospital malpractice insurance companies have left

Hawaii. The State hospital system saw premiums increase from $1.5 million to $4.9 million when it had to obtain coverage from surplus lines companies. Kahuku Hospital saw their premium go from 40,000 to 400,000. This increase was one of the major cost items that we will be funding in an emergency funding request to continue emergency medical services on the North Shore.

"Mr. Speaker, there are too many signs and figures to ignore. We need to do something significant this year to help with this problem of lack of access to healthcare to rural areas or in emergency situations. Thank you, Mr. Speaker."

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

"If we could, on Stand. Com. Rep. No. 610? Just a vote with reservations, and as we go forward on this measure we should all try to follow the money. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 220, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TORTS," was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 611) recommending that H.B. No. 770, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 770, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 381, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 381, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 381, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Meyer, Pine, Thielen and Ward voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 56, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 56, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, please register a vote with strong reservations for me."

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

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

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

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

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

"Thank you, Mr. Speaker. Very briefly, I rise in support. This bill is meant to give us access to make a plan for universal healthcare, should this situation continue to degenerate in both the United States and the State of Hawaii. We had a previous speaker mention the 'perfect storm' of healthcare which are really the buzz words for 'we're in trouble,' 'doctors are leaving', 'nurses are leaving', 'hospitals are closing,' 'providers don't think that they can stay available to the community to preserve healthcare for the communities.' And, yes, I do hope that we'll make up a lot of ground by looking at these issues, such as we mentioned earlier, like reimbursement, possibly tort reform. But importantly, planning does play a part, and this bill does not force anything on anyone. It just asks us to plan.

"If we don't plan for the future, when the future hits us, it's going to be a punch in the face with no access to healthcare for our people, parents or children. I think we'll regret it, so I think we should plan. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, this will have a commission or authority, if you will, of members to look at our healthcare situation. We all agree that we are having a big problem in healthcare in Hawaii. We need to find a solution to this. I think this will be a first step in the right direction.

"In addition, Mr. Speaker, this does not guarantee that we are going to put universal healthcare for everyone. Maybe Hawaii is not ready for universal healthcare, but it will find solutions to provide affordable, accessible quality health care to Hawaii citizens. Therefore, I support this measure and I'd like to have the words of the speaker from Kona to be placed in the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"I'm rising again with reservations. I just want to make sure it goes in the Journal. I really believe we need to promote private healthcare in Hawaii, look at the Certificate of Need, look at how we're expanding the Hawaii Health Systems Corporation when I don't think we should be. I think that we need to build long-term care facilities.

We need to get long-term care people out of these acute beds. There are a lot of solutions that can be done, but I do not agree with Universal Healthcare. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 56, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 614) recommending that H.B. No. 531, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 531, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 1722, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1722, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 483, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 617) recommending that H.B. No. 963, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 963, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 1757, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 1792, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1792, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 620) recommending that H.B. No. 323, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 323, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOBILE THEFT," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 621) recommending that H.B. No. 1656, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 622) recommending that H.B. No. 970, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 970, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 623) recommending that H.B. No. 1279, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1279, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 624) recommending that H.B. No. 1379, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1379, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 625) recommending that H.B. No. 106, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 106, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 626) recommending that H.B. No. 855, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 855, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 856, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 856, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Sonson and Evans, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 628) recommending that H.B. No. 1817, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1817, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 629) recommending that H.B. No. 1095, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1095, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 630) recommending that H.B. No. 1096, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1096, entitled: "A BILL FOR AN ACT RELATING TO STATE MORTGAGE CREDIT CERTIFICATES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 631) recommending that H.B. No. 1137, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1137, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1137, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 632) recommending that H.B. No. 1170, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1170, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WEST HAWAII PERMANENT HOUSING PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 633) recommending that H.B. No. 150, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 150, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Shimabukuro's written remarks are as follows:

"The housing crisis continues to affect individuals and families across the State. As a result of rising rents and the loss of inventory of affordable housing, the State is experiencing an increase in the number of homeless individuals living in the streets, beaches and parks.

"Our public housing projects are in need of repair and renovation contributing to the inability of the State to provide housing to the less fortunate. The urgency of the crisis in housing requires immediate State action.

"We must appropriate funds to the homeless, housing development, and public housing programs to enable these programs the ability to implement services to accomplish these priorities.

"This bill appropriates funds to the Hawaii Housing Finance Development Corporation through the Rental Housing Trust Fund homeless programs for people in need.

"Of importance is money for the public housing programs to repair and renovate their properties to enable the residents of public housing to reside in safe and decent housing and the ability to improve the quality of their lives."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was referred to

the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 634) recommending that H.B. No. 832, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 832, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 635) recommending that H.B. No. 1602, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1602, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representatives Ito and Shimabukuro, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 636) recommending that H.B. No. 1072, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1072, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 637) recommending that H.B. No. 16, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 16, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

"Mr. Speaker for 637, I'd just like to vote with reservations. My only concerned about this bill, Mr. Speaker, is that it doesn't go far enough. It repeals the provisions requiring transfer of public health nurses from the Department of Health to the Department of Education. I'd like to see it go further and repeal the school health aides also. Thank you."

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

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

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

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

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

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

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

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

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

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

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

"In support. I'd just like to remind this body, or at least those who voted for Act 51, that the schools, through their principals, will make the decision for their own school, so we can hold them accountable. This is part of the bargain. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 16, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Manahan and Sagum voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 638) recommending that H.B. No. 32, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 32, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 639) recommending that H.B. No. 212, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 212, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I'm rising in support of Stand. Com. Rep. No. 639, with reservations. I spoke in Committee and I'd like the body here to know that this is about giving money to the Department of Health to

develop a healthcare workforce map and database. My reservations are it should be there already if they are making decisions. We have SHPDA making decisions constantly on the Certificate of Need. This is the kind of information they have to have to make those decisions, so I'm very disturbed they're asking for money now when, in fact, they've been making decisions all along, supposedly having this information. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 640) recommending that H.B. No. 1672, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 641) recommending that H.B. No. 223, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 223, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 223, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 642) recommending that H.B. No. 1365, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1365, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 643) recommending that H.B. No. 1366, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1366, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 763, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 854, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 854, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 854, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 1750, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 937, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 937, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"I'm sorry. I didn't speak up fast enough. On Stand. Com. Rep. No. 647. I'd like to cast a vote with strong reservations."

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

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

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

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

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

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

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

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

"Thank you very much, Mr. Speaker. In support. On Stand. Com. Rep. No. 647, Members, this is a very good deal. If you'll just focus on what it is, instead of what it is not. The purpose of this bill is stated right there. If you heard the testimonies of those who were against it, it is because they were reading more into it than what's in the bill. It is just merely an instrument to improve the qualifications of electricians. It does not deal with any other industries, such as, plumbing, labor or anything else. Just electricians. It is a bill so that the quality, qualifications of electricians will get better so they can serve the public better, so that your homes won't catch on fire if it's wired improperly. If you have any reservations of the bill on what it does, please don't add anything to it, and I'm sure you won't have any reservations anymore. Anyway, thank you so much, Mr. Speaker, for this time."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 937, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL AND PLUMBING TRADES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 314, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 314, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 649) recommending that H.B. No. 1260, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1260, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 650) recommending that H.B. No. 1240, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1240, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 651) recommending that H.B. No. 211, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 652) recommending that H.B. No. 705, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 705, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 653) recommending that H.B. No. 717, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 654) recommending that H.B. No. 877, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 655) recommending that H.B. No. 1373, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1373, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 1890, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1890, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH CARE SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 232, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 232, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFYING MEDICAL INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 455, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY PLANNING," passed Second Reading and was referred to the Committee on Finance with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 670, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki, Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 1076, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1076, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Shimabukuro and Evans, for the Committee on Human Services & Housing and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 1457, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1457, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AT-RISK PERSONS ON HAWAII ISLAND," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Shimabukuro and Evans, for the Committee on Human Services & Housing and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 1695, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 214, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 214, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 664) recommending that H.B. No. 527, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 665) recommending that H.B. No. 1825, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.B. No. 527, HD 1, pass Second Reading and be referred to the Committee on Judiciary; and H.B. No. 1825, HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to Stand. Com. Rep. No. 665, stating:

"I stand in opposition. This is on Stand. Com. Rep. No. 665, there will be no smoking on the beaches of Hawaii. I think what this body has done, and I speak as a freshman now, is we've gone very fast, very long, and very effective in terms of discouraging smokers in our youth, and discouraging those who smoke to quit. However, Rome was not built in seven days. I think what we're doing here by taking a broad sweep at tourists, at those who when they said they can't smoke in the restaurants, they said, 'Okay, well, at least I can go outside.' Well, it's 20 feet. And now when you go to the beach, I think it's too much, too fast. It's too extreme. We'll be looked upon as fanatics. If we're going to do this, let's wait until it mellows and marinates to where that would be acceptable.

"Right now, I don't think the timing is right or the intention. And the anger by which this is generating in our community is not healthy for a civil society. And for those who smoke, and I stand as one of those reformed who smoked for 23 years. I don't like smoke. But to the extent that we're pummeling the smokers, I think this bill goes to the extreme, particularly because our beaches, are our environment, and we have to give enjoyment for all people.

"The original intent of the bill, if I may say, from the author's point of view, as the Representative from Maui has indicated, it was originally a 'butt' bill. Let's get the butts off the beach. No pun intended. To get the butts off the beach was the intention, and the only way to get the butt off, is to get the smoker off. And I think that throws the baby out with the bath, Mr. Speaker. Thank you very much."

Representative Bertram rose to speak in support of Stand. Com. Rep. No. 665, stating:

"Thank you, Mr. Speaker. I rise in support of my bill. I must say, that as it did start out as an anti-litter law, but also realize you know, you can't go with litter. You have to go for support from a broad array of people. My organization, Greenways Maui is part of the Maui Tobacco-Free Coalition which is also looking at the other health benefits of banning smoking in various areas, especially the beach.

"The beaches have become basically the world's biggest ashtray. And it has been my experience just not only personally, but because I live near a beach. When I go swimming, I'm picking up butts, and when I come back out, there's more butts. And cigarettes butts are the highest percentage of litter that's found on beaches. The Audubon Society and others who have put in testimony talking about the effects on birds and other native species, as well as fish. If this is the only way, and I really do see it as the only way of getting these butts off the beach, and it also increases our health, and I think we can do both.

"I've seen people walking in the water with their cigarette in their hand. And if we can get all the cigarette smokers to be responsible citizens and actually getting 5,000 signatures to get these butts off the beach, then I would be supportive of this, but, unfortunately, that's not the case. So this, to me, seems the best way to start addressing this issue the right way."

Representative Thielen rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in strong support for this bill and the bill before it, the bill relating to flavored tobacco. Mr. Speaker, my colleague from East Honolulu said that smokers are being pummeled. Actually, I think smokers have pummeled a lot of our population, including my son, who was a nonsmoker and developed throat cancer. He's now in his fourth year of remission, but that came about because of the people that were smoking in our society back in that time.

"I'm firmly in support of everything we can do to eliminate the use of those products where they would impact nonsmokers. If the smoker wants to shut himself or herself into a car and puff away, fine. Or do something else where it's out of the breath of a non-smoker, fine. That's really unfortunately, a death sentence for them, but if they're addicted to it, it's going to very difficult for them to stop smoking. I sympathize with that because the tobacco industry is part of making those products addictive.

"I just read in the paper now, Mr. Speaker, where the tobacco industry is now targeting women and putting together kind of a jazzy cigarette package that is designed to entice girls, young women and mature women into smoking because they look at us as the good target, an easy target to get addicted to that cancer-causing product. I think that we should eliminate these.

"I think we should become the Health State and the Smoke-free State. And I strongly, strongly support these kinds of bills and I applaud my colleague from Maui for introducing this. Thank you."

Representative Evans rose to speak in opposition to both measures, stating:

"Mr. Speaker, are we discussing Stand. Com. Rep. No. 665? My remarks are going to be for 665 and 664 and I'm standing in opposition. Stand. Com. Rep. No. 665 prohibits smoking on beaches, but also in 664 when they amended the bill, they inserted language banning smoking on beaches. So really it is about both bills.

"This body, if I'm not mistaken, has passed a law that says not only can a youth not buy cigarettes, but in fact they can't use cigarettes, the same as with alcohol. So already it's outlawed for children. I'm a believer that we should have restrictions on secondhand smoke, but like last year when I voted no on the smoking bill, I think it's too far when you do a complete ban. I believe there should be designated areas. Thank you."

Representative Brower rose to speak in support of Stand. Com. Rep. No. 665, stating:

"Thank you, Mr. Speaker. In cautious support of this bill. I agree with the previous Representative. Also understand the concerns of our Representative from Hawaii Kai. And I appreciate our enthusiasm from the Representative from Maui. I am sometimes conflicted on his stance with medicinal marijuana and this, but that's okay."

Representative Cabanilla rose to speak in opposition to Stand. Com. Rep. No. 665, stating:

"Mr. Speaker, I rise in opposition of Stand. Com. Rep. No. 665. I don't condone smoking Mr. Speaker, but I believe this is a civil rights issue. I don't agree with everything that my neighbor does, however I have to respect their rights as a citizen.

"This bill bans smoking in beaches and parks. I think we're going too fast, just like the other Representative mentioned. We should have some civil liberties left for us even though it's not good. If that's what we decide to do, that we should have the freedom to do that.

"I see this to be an enforcement issue. There are a lot of things that police can work on instead of tagging or following people who smoke. I believe that this is an anti-business, anti-tourist initiative that we're passing here for our State. And I think that we have, in previous legislation, we have punished smokers a lot like increasing their taxes so we can fund our Medical School. If we eradicate smoking altogether in this State, Mr. Speaker, what shall we do with the Medical School? Thank you."

Representative Green rose to speak in support of both measures, stating:

"Very brief comments, Mr. Speaker in support of Stand. Com. Rep. Nos. 664 and 665. I want to clarify the Health Chair's intent and some of our colleague's intent. The intent is definitely not to be disrespectful to smokers. They're our neighbors and our family members. They're my family members.

"The idea is this: that nicotine in cigarettes is very addictive. We were manipulated by 'Big Tobacco' for decades. They put our neighbors and our family in harm's way by giving us a product that is very addictive and now it's hard to quit. We don't want to be disrespectful, and I really do take to heart a lot of the testimony that was given to us, that people feel estranged from society because there's no place for them to go if they're smoking. The last thing we want to do is hurt our neighbors. But as we go forward, it's at least my inclination as a doctor, and as a person who feels strongly that I don't want my mother or my father to suffer from chronic lung disease or cancer when they've been subjected to an addictive chemical against their will with no proper disclosure, that we do have to fight back the big tobacco companies.

"We will find a way, I hope, to treat our neighbors who do smoke equitably. We'll try to be fair, we'll try to be balanced in our

legislation, but we also have to be extremely careful and mindful that there be no access to cigarettes for our minors who, whether or not it's against the law, they get it. Whether or not it's against the law, they get targeted with ad campaigns and with the media and with movies. So we have to go that direction.

"We have to both be respectful and loving of the people who do smoke, but we also have to protect this generation and the next so that they don't have the same problem that we're seeing now which is severe chronic lung disease and just a lot of fatal cancers that are from tobacco. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker, in strong support and I ask that the words of the Representative from the Big Island be entered as my own," and the Chair "so ordered." (By reference only.)

Representative Ching continued, stating:

"I just wanted to make three points. Number one, beaches are where a lot of children and families go, so you certainly don't want to put your children at risk of any secondhand smoke.

"Number two, to share experiences, Wailana Restaurant is a favorite. And Wailana Restaurant was very concerned when we first made the law that we would not allow smoking in places like where they have the *karaoke* there at the Wailana. I'll tell you something. If you talk to the manager today, they've got more people than they ever have had ever in that area now that it's smoke free.

"So I think that while there's respect for the rights of others, there's also the respect for health. And their point is we could invest in the wellness industry. Hawaii is a Health State. The wellness industry could be a really important part of the economy."

Representative Meyer rose to speak in opposition to both measures, stating:

"Thank you Mr. Speaker. I'd like to register a no vote on Stand Com Report Nos. 664 and 665, and I would like to make one comment. Wailana may be doing well, but the *karaoke* in the Temple Valley Shopping Center is about to close down because of the smoking ban."

Representative Lee rose to speak in support of Stand. Com. Rep. No. 665 , stating:

"Mr. Speaker, I stand in strong support and not only because of the concerns I have about secondhand smoke, but another concern that now that I'm a grandmother and I take little children to the beach, stepping on a lighted cigarette butt is very painful and can produce a severe burn."

Representative Ward rose to respond, stating:

"Mr. Speaker, just to add two comments or implications on the discussion so far. One I would suggest is drawn from the fact that litter is concern. I would suggest the Water, Land, Ocean Resources and Hawaiian Affairs Committee look at stronger litter laws. Right now it's only a few bucks. If you litter on the beach, I think it would be easy to get the fines to a point where they're very serious about getting the butts off the beach.

"Number two, I think we're entering into an arena where we want give caution, but outlaw high risk behaviors. We've got a lot of high risk behaviors out there that are much worse than smoking. I won't elaborate on them, but I think we see them with bare heads on motorcycles that go by every day. We don't say 'Hey, you can't do that.' In fact, we know we're being charged thousands of dollars of taxpayers' money when there's a head injury. And there are other high risk behaviors of which when you're intimately involved with people, you are not outlawing that high risk behavior of which then you consequently suffer.

"So I think as we get on this slippery slope, once we the body of the people of the State of Hawaii set off as this Legislature, start saying 'You shall not do these kinds of behaviors.' We forget in the beginning and the origins of the land of the free and the home of the brave, that it was individual freedom that made us all escape the tyranny of government. And I think as we objectively and anecdotally consider each one of these behaviors, we're forgetting a bigger picture of who we are and what we belong to. Letting those other high risk behaviors go unnoticed makes us a bit absentminded in our judicial concerns here. Thank you, Mr. Speaker."

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

Representative Chang rose and asked that the Clerk record a no vote for him on Stand. Com. Rep. No. 665, and the Chair "so ordered."

Representative Bertram rose to respond, stating:

"Second time, just to clarify that we did take away the parks restrictions so it's just the beach. So they can still puff away and stop at the beach."

Representative Sonson rose to speak in support of both measures with reservations, stating:

"Just a vote with reservations, Mr. Speaker, and the words of the Representative from Hawaii Kai entered into the Journal as my own. And also the words of the Representative from Kona entered into the Journal as my own. I think they're both correct."

The motion was put to vote by the Chair and carried, and the reports of the Committee was adopted and H.B. No. 527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Evans and Meyer voting no, and with Representatives Takai, Takamine and Takumi being excused; and

H.B. No. 1825, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Cabanilla, Chang, Evans, Meyer and Ward voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 666) recommending that H.B. No. 410, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 410, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Carroll's written remarks are as follows:

"The purpose of this bill is to ensure parity in emergency health care for residents and visitors of the Haiku region of Maui by providing twenty-four-hour advanced life support ambulance service.

"The Haiku region of Maui is located at the northern tip of the island of Maui and lacks twenty-four-hour, locally-based, advanced life support ambulance service. The nearest ambulance service is located in Makawao, which is forty-five minutes away and the next

closest is in Hana, a full ninety minutes away. Both wait times are unacceptably long and endanger the health of residents of the Haiku region of Maui.

"I urge my colleagues to please provide emergency services to our growing community that desperately needs this service now. Mahalo!"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 410, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE FOR THE HAIKU REGION OF MAUI," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 667) recommending that H.B. No. 679, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 679, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CLINICAL TRIAL UNITS FOR HIV AND AIDS IN HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 668) recommending that H.B. No. 1371, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1371, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 1495, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1495, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PALLIATIVE CARE RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 1599, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1599, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PLACEMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 206, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 206, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 818, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 818, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 672, I would like to vote with reservations and I would like to state my reservation. It's a bill relating to long-term care and asking for an appropriation for the Ombudsman and other members for the Long-term Care Committee. I would like to request that this funding that we're appropriating every day for all these programs and studies, that it be shifted to the direct care providers.

"In the newspaper yesterday, Mr. Speaker, and also in the Committee on Human Services, I have learned that we are now outsourcing the elderly. And the reason for that, Mr. Speaker, this is a matter that's very close to me, it's because we don't pay enough to the long-term care providers, the nursing homes, and the care homes. And we continue to battle whether we should pay for family care providers. But yet we pay hundreds of thousands of dollars for people to do oversight on the people that are willing to take care of them.

"The reason why we don't have nursing homes, Mr. Speaker, is because there's overregulation. The businesspeople that want to deal with this want to walk away from it. And last year we funded a raise for the care homes and the foster home. A one hundred dollar raise they received, when for the last twelve years that they did not get any increase. Mr. Speaker, we need to shift this funding to those people who want to turn those patients, clean them up, feed them, walk them, push their wheelchair. That's the people we should be paying. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 818, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 673) recommending that H.B. No. 624, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 624, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 674)

recommending that H.B. No. 625, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 831, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 831, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I rise in strong support of House Bill 831.

"Mr. Speaker, I believe that the passage of HB No. 831, HD1, will remove a stumbling block that prevents veteran burial grants from reaching those that need it the most.

"Filipino veterans of the New Filipino Scouts are entitled to receive burial grants from the Office of Veterans' Services. However, to qualify for these grants, the Filipino veteran's survivor or an interested party must produce an itemized paid invoice of the services rendered on the behalf of the deceased veteran. Due to the tremendous costs of funeral, burial and transportation services, some families and friends of these veterans cannot afford to pay the costs up front.

"The purpose of this bill is to remove this stumbling block by instead, requiring the submission of an itemized unpaid invoice. This measure would allow grants to be received by those who are in the most financial need, and not just those who can afford to front the costs. These veterans have served bravely for this great country, and it is only right that they receive these benefits.

"Thank you, Mr. Speaker, and I ask my colleagues to support me on this bill."

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

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I rise in the utmost support for this measure. This bill, in sum, would allow the State to assist the family members of the New Filipino Scouts so their loved one's remains can be sent back to the Philippines for interment.

"This small sum of money pales to the costs paid by these warriors in defense of our very own. I know there is a program to intern New Filipino Scouts at military burial places in the U.S. and designated ones abroad where they fell, but right now living Scouts who are close to passing will be unable to return to their homeland simply because of money. That is why it is important not to wait until next year as many of these brave New Filipino Scouts are passing every day and time is running out for us to do the right thing.

"I also want to thank Chair Evans personally, Mr. Speaker, for acting on this important piece of legislation before the deadline, as this bill is not only very important to my constituents whose family served the war, but also to me personally as both my father and my great uncle served in this worldwide struggle between good and evil. I also hope my colleagues on the Finance Committee will be able to secure the funding for this legislation and not let dollars and cents stand in the way of what is merely the right thing to do. For all their blood, sweat and sacrifice, the least we can do as a State and a nation is to be able to provide for proper services for them and their families."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 1389, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1389, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to state a possible conflict on Stand. Com. Rep. No. 676. I'm an owner of a timeshare in Kona," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1389, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES IN LAND COURT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 677) recommending that H.B. No. 1499, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 678) recommending that H.B. No. 1667, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1667, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR THE PURCHASE OF LAND TO DEVELOP KALAELOA COMMUNITY DEVELOPMENT DISTRICT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep.

No. 679) recommending that H.B. No. 1899, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1899, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising with some serious concerns on the Kawai Nui Marsh bill. I will be voting in favor of it, but with some reservations.

"Mr. Speaker, this situation between the City and the State has been going on for, I think it's about like eighteen years. The Department of Land and Natural Resources traditionally takes care of our natural resources. The City and County put together the flood control project and the City and County is like the housekeeper. They are responsible for the flood control project, the maintenance of the canal area, and doing the typical maintenance work that they do throughout the Island of Oahu. They have tried to 'weasel out' of doing that job and have tried to say, 'Okay State, you take over everything.' The liability, the day to day maintenance, even though the State is not staffed to do that, and is not funded to do that. It's never been the State's role.

"The Committee Report mentions that the Department of Land and Natural Resources supported the bill with amendments. DLNR did not support the bill as written. So if anyone feels that they're on board with this, they aren't. The last time this happened, last year, you'll remember, Mr. Speaker, we were trying to get a bill through under the Chairmanship of the Chair Ezra Kanoho and we had it done properly. We did it so the State took care of the natural preserves. They would be able to do all of the project improvements with the federal funding that's out there waiting for this split to happen. The City was going to continue with its typical housekeeping maintenance work. Well, now this bill, all it does in the Committee Report it says that, 'Okay, Committee on Finance, please review the bill to ensure that it's clear that maintenance responsibility of the flood control project is to remain with the City and County of Honolulu.' But unfortunately, the language of the bill provides other than that.

"So we're putting together a bill that is going up to the Governor, if it goes in this shape, it's going to be vetoed. And we lose ultimately, we lose that federal funding. Kawai Nui Marsh is a Ramsar listed wetlands site of international significance. As long as we let the City out of its maintenance responsibility and its liability for the maintenance, the bill is going to be, or the proposed law, will be faulty. And it won't be signed by the Governor because it goes right against what the Department of Land and Natural Resources is saying. Don't let the City balk on this responsibility. And we as the State entity can make sure the City takes care of what it's supposed to do, what it does traditionally throughout the whole island, and let the State go back in to doing the wetland and natural resources work that it should do and can do with the federal funding.

"Unfortunately, look at the language of the bill. The newly added language that came out of this HD 1, parses on to the City and County of Honolulu as part of the Oneawa Canal Widening Project, shall also be vested in the State and fee simple. Well, no. That's precisely what cannot happen. So to make a claim on page 1 of the Committee Report that DLNR is fine. DLNR is not fine. And I think that the next Committee, and unfortunately it's not the subject matter committee, but I'm hoping that the next Committee will correct it and listen to the testimony of DLNR, make sure the State keeps the natural resources, makes sure the City and County takes care of its housekeeping responsibilities and its liability. Thank you."

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

Representative Chong's written remarks are as follows:

Mr. Speaker, I stand in support of HB 1899, HD1, Relating to Kawai Nui Marsh.

"Mr. Speaker, for over 17 years the dispute between the State and the City has prevented the restoration of the Marsh. Now in the present both the Hannemann Administration and the Lingle Administration have continued this dispute. Although the prior speaker has said the City needs to meet their responsibility, Act 314, SLH 1990 clearly defines that the State is to take the entire Marsh. This makes sense in the long term since the restoration will affect the entire Marsh in the end. This bill seeks to provide a compromise that the State take all the land and the City continue to maintain the levy."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1899, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 680) recommending that H.B. No. 1003, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1003, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 681) recommending that H.B. No. 228, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 228, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 682) recommending that H.B. No. 639, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 683) recommending that H.B. No. 1866, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1866, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 684) recommending that H.B. No. 485, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 685) recommending that H.B. No. 1868, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1868, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 686) recommending that H.B. No. 70, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 70, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure.

"I want to make my position clear to my colleagues and constituency that I am against taking any existing roads and turning them into a cash cow – tolling them after we already paid for them with our taxes. However, the bill permits the Governor by way of the Department of Transportation to embark upon doing just that. Does anyone here really believe this Administration or a future one would initiate a policy and practice that would take existing roads and make the end user pay another fee, additional tax, or toll to use that road?

"I do not believe that the Governor would initiate such a maneuver. It is for that reason, by leaving the option open for the Governor to consider tolling existing roads, that the language is in this bill. To alleviate the transportation crisis we are in, we must exercise the ability to include all options available and permit these options to be heard. Again, it would be the Governor's prerogative to toll existing roads, whereby such a decision would have to go through a scrutinizing process including public hearings and the like.

"I urge all of my colleagues to vote yes on this measure that is intended to permit our State to design and construct new roads with private financing. This may include utilizing the shoulder lane, or expanding it on a freeway or highway to accommodate a toll road lane as well as utilizing the medial strip, all of which fall under the term 'existing roadway.' Take away the term 'existing roadway,' and we lose out on these two options aforementioned. Thank you Mr. Speaker."

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

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

Representative Meyer rose in support of the measure, stating:

"Mr. Speaker, in strong support of HB No. 70, HD 2."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 70, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was referred to the Committee on Finance with Representatives Brower and Har voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 687) recommending that H.B. No. 760, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 760, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 688) recommending that H.B. No. 1745, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1745, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1745, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was referred to the Committee on Finance with Representatives Ching, Marumoto and Meyer voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 689) recommending that H.B. No. 1767, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1767, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representative Marumoto voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representatives Yamashita and Ito, for the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 690) recommending that H.B. No. 147, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 147, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SURVEY AND ENGINEERING DESIGN FEES FOR THE DEVELOPMENT OF AN INDUSTRIAL PARK AT MANA, HILO, HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Yamashita and Ito, for the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 691) recommending that H.B. No. 1083, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1083, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 692) recommending that H.B. No. 1548, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1548, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 693) recommending that H.B. No. 1339, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 694) recommending that H.B. No. 1400, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 695) recommending that H.B. No. 424, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 424, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 696) recommending that H.B. No. 457, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 457, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Mr. Speaker, Hawaii has more than 6,000 people behind bars – with more than 1,900 serving their sentences abroad. It is estimated that there are around 6,665 children who have parents incarcerated within our system. Research shows that children who have incarcerated parents suffer strong emotional reactions and are up to six times more likely to become a part of the criminal justice system themselves.

"Mr. Speaker, this bill seeks to help reduce those numbers. This program supports the expansion of parent-child interaction programs such as the SKIP program, at other State correctional facilities to

facilitate appropriate child visitation of incarcerated parents. These programs strengthen family relationships and have a positive effect on preventing recidivism. Mr. Speaker, in the words of one of the testifiers who is with the Makua Keiki Program:

"This program is such a valuable and important resource for families of incarcerated parents. It gives them hope and an opportunity to become functioning, loving, nurturing fathers, mothers and/or parents. It empowers people and families who are at rock bottom and believe the only alternative left to them is hurt and pain and to lash out at others. It is a lifeline, to better, secure, loving relationships. It empowers families and communities, and society."

"I urge all of my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 457, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 697) recommending that H.B. No. 467, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 467, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Mr. Speaker, current community based programs are less costly and more effective than incarceration and are a better solution to prison over-crowding for women offenders than sending prisoners to mainland prisons. Nevertheless, the current gender-responsive community based programs for women and girls in the State are inadequate. This bill appropriates funds to the Department of Public Safety and the Office of Youth Services for the expansion of gender-responsive community based programs for women and girls.

"Mr. Speaker, incarcerating women and girls in environments that are designed primarily for men and boys without appropriate programming to address their needs has resulted in recidivism caused primarily by parole violations and minor offenses. Women and girls need comprehensive reentry services and community wrap-around services with case management services. Effective programs link substance abuse, criminal justice, public health, housing, and employment services.

"I urge my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 698) recommending that H.B. No. 920, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 699) recommending that H.B. No. 1182, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1182, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PUNA DISTRICT POLICE STATION IN KEAʻAU, HAWAIʻI," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 700) recommending that H.B. No. 1402, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1402, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 701) recommending that H.B. No. 1549, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1549, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT INVESTIGATION," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 702) recommending that H.B. No. 1001, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1001, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, thank you. I rise in support of this measure with a few brief comments. This bill continues to be a work in progress as one measure to address the affordable housing and affordable rental crisis facing all working families in this State. As amended, this bill strikes a balance between expediting the entitlement process for developers and protecting our limited and precious natural resources. I commend the Chair of the Committee on Human Services and Housing for her work at achieving this balance. Thank you Mr. Speaker."

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

"Thank you, Mr. Speaker. I do also commend the Chair of this Committee. I rise in support with strong reservations. I commend

the Committee, actually, for moving forward with this issue. My concerns have to do with the fact that both the City and County of Honolulu and the County of Maui rose in opposition of this and it appears as if we are encouraging them to do something they don't want to do, and perhaps we can do it through Resolution. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support of this measure. This House Draft is a culmination of a vast amount of input from stakeholders. Over the past few weeks a series of meetings was conducted with developers, Committee members, homeless people, the Hawaii Housing Finance and Development Corporation and fellow legislators prior to and during the crafting of the draft. All participants, as well as your Committee recognize and emphasize that we are in a housing crisis. However, we should exercise caution and not act hastily in our attempt to solve our housing problem.

"There are certain principles that we as a community should still uphold: protecting the environment, maintaining rural areas and executing our duty as trustees while maintaining the integrity of the ceded lands system. The challenge facing your Committee on Human Services and Housing was how to balance these principles with the need for an expedited permitting process as proposed by the original version of the bill, while providing and adequate amount of incentives to developers to meet our ultimate goal of providing housing to our low-income and work force families.

"In response, your Committee proposes a number of things. And in response to some of the earlier issues, we did require counties of populations greater than 500,000 to create expedited permitting processes and we give the option to those with less. So basically, giving the option to those Neighbor Islands to participate. And Mr. Speaker, I have many other comments I'd like to submit in writing, but I do want to commend all those that have helped to make this bill what it is today. Thank you."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill 1001, House Draft 1.

"This House Draft is the culmination of a vast amount of input from stakeholders. Over the past two weeks, a series of meetings was conducted with developers, community members, homeless people, the Hawaii Housing Finance and Development Corporation, and fellow legislators prior to and during the crafting of this draft. All participants, as well as your Committee, recognize -- and emphasizes -- that we are in a housing crisis. However, we should exercise caution and not act hastily in our attempt to solve our housing problem.

"There are certain principles that we as a community should still uphold: protecting our environment, maintaining our rural areas, and executing our duty as trustees by maintaining the integrity of the ceded lands system.

"The challenge facing your Committee on Human Services and Housing was how to balance these principles with the need for an expedited permitting process, as proposed by the original version of this bill, while providing an adequate amount of incentives to developers in order to meet our ultimate goal of providing housing to our low-income and workforce families. In response, your Committee proposes the following:

1) Requiring counties with populations greater than 500,000 to create an expedited permitting process that could potentially run in totality, from application to shovel, a total of one-year and ninety days. HHFDC could be engaged by the developer as a back-up authority in order to help process applications that the county does not expedite.

2) Focus on the segment of the population that earns 140% of the average median income and below for homeownership, and 80% of the average median income and below for rentals;

3) Allow leases for state-non-ceded-urban classified lands within the county development boundaries to promote infill, protect our rural communities and preserve ceded lands;

4) Create opportunities for mixed-use rentals by adopting a quota requirement with a sliding-scale, as similar to the requirements employed currently by the County of Hawaii;

5) Maintain compliance with certain environmental protection statutes, like chapters 343, 195D and 205A, while waving others. Compliance with our cultural resources statute is also required;

6) Create a county infrastructure capacity construction loan fund to aid counties in expanding and upgrading infrastructure. This fund will help facilitate the expansion needed to support new affordable housing within urban areas;

7) Provide tax credits to those who invest in low-income areas; and

8) Emphasize collaboration on executing this process and acceptance of dedicated infrastructure. Memoranda of Agreement between the State and counties would help facilitate this working relationship.

"Your Chair recognizes that this House Draft is a good start, but much work remains to be done as affordable housing is a multifarious issue. I urge my fellow members to support this bill. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. Mr. Speaker, I too commend the Chair of Human Services and Housing on working on this measure. It's a very difficult measure, a very complicated bill, but she's done outstanding work. We had a number of testifiers, both not only from the State but from the City and County, the counties throughout the islands, all of our State.

"Mr. Speaker, I think we have to give this bill a chance. We can always take a look at it in Finance and if it goes on, we can finish it up in Conference. But I would like to have the comments by the previous speakers be also placed in the Journal as if they were own. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. I'd like to rise in support. And when we first started working on this bill, I had some strong reservations, but I do commend the Chair of the Committee because she tried her best. And her heart, and the heart of the Committee was in the right place, trying to get the homes to the people as soon as we possibly could. I would like to say, that as a member of the great Finance Committee, we will deal with it there. So I know that a lot of great input from that that great Committee will be dealt with on that issue."

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

"Mr. Speaker, I rise in support of the measure. Testifier after testifier after testifier said the affordable housing system is broken. The housing system is broken. We got this notion of a broken trust, broken system, broken relationships between environmentalists, between developers, between the State, between the counties. It was all broken. This is a way to try it out. It's not a guarantee. And as the previous speaker said, we're going to pay homage to the Finance Committee.

"I wanted to mention that in the discussion within the Housing Committee, there was a proposal to sweeten the incentives to the counties by giving a percentage of the TAT tax, to increase it, so we can engage in this because we need twenty to thirty thousand affordable housing units, because right now at our best speed and with our biggest muscles we're only doing two thousand. So we've got to do something and this is a good beginning and the Chair should be commended. Thank you Mr. Speaker."

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

"Thank you, Mr. Speaker. It sounds like a lot of work has been done. I'm in support, but with slight reservations. It sounds like a lot of work has been done on this bill and it looks really complicated so I'm just going to take the time to look at it, but just note my reservations on the many changes."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1001, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 703) recommending that H.B. No. 811, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 811, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 704) recommending that H.B. No. 1363, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1363, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations. Looking at this bill, it appears that we're strengthening sentencing for criminal trespass to criminal trespass in the second degree. We're expanding it, so I want to add that we've not put in an appropriation language or an impact study on how it's going to impact our correctional facilities."

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

"Mr. Speaker, in support. We did in fact increase the penalties for trespassing in public housing projects and for my own district, which includes Mayor Wright Housing, this is a serious problem. This is a compromise solution from what the original bill was. We think that raising the penalty from a violation to a petty misdemeanor is justified under the circumstances and I hope everyone will support it. Mahalo."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1363, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE SECOND DEGREE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Herkes, for the Committee on Health and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 705) recommending that H.B. No. 1067, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1067, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in strong support. We are facing, as they've been talking about in other issues, a crisis in our healthcare system. And one of the main problems of this crisis has been a real impediment to private investment in our healthcare system and the CON process has been one of the biggest impediments to that. I know there have been other efforts in previous years to try to address the CON process and they've been unsuccessful.

"So we're really looking forward to this year, actually being able to do something about this so that we can bring private investment into our healthcare system, and so we can actually get some results because the State is too small. The State can't do it alone. And we really have to look at ways that we could get private investment to be helpful in this. Right now we're saying, 'no'. So be it reforming the CON process, not only can we say for the rest of the State, 'yes' to private investment, but perhaps maybe, hopefully, prayerfully, we'll be able to get a hospital on Maui, as we are the only island in the State to have only one. We really need to do something today, this Session, to make sure that we can get our second hospital while the $250 million is on the table to see something happen on our island."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1067, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF NEED," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 706) recommending that H.B. No. 208, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 707) recommending that H.B. No. 822, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 822, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CAREGIVERS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 708) recommending that H.B. No. 1514, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1514, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 709) recommending that H.B. No. 355, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 710) recommending that H.B. No. 875, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 875, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 711) recommending that H.B. No. 1466, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1466, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 712) recommending that H.B. No. 153, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 153, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 712, I'd like to declare a potential conflict. I am a board member at the Waianae Coast Comprehensive Health Center," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 153, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 713) recommending that H.B. No. 204, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 714) recommending that H.B. No. 1120, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1120, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 715) recommending that H.B. No. 1448, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1448, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE ZONES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 716) recommending that H.B. No. 229, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 229, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RURAL HEALTH CARE," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 717) recommending that H.B. No. 1477, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1477, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Chang and Evans, for the Committee on Higher Education and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 718) recommending that H.B. No. 1720, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1720, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE AND EXPAND THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK'S LONG-TERM CASE MANAGEMENT TRAINING PROGRAM FOR VICTIMS OF MAJOR NATURAL

DISASTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 719) recommending that H.B. No. 464, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 464, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

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

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"As a general principle, the more we know, the more capable we are to make good decisions. This bill mandates that sexual health educators who receive State funding teach not only abstinence, but also contraception. This comprehensive education will promote healthy behaviors as well as encourage optimal protection from STDs and unintended pregnancies.

"Student sexual behavior statistics allow us to see the dreadful reality of cause for concern: Testimony provides that nearly two-thirds of all high school seniors in the U.S. have had sexual intercourse; each year, approximately 9.1 million 15 to 24 year olds are infected with STDs; and The Centers for Disease Control & Prevention estimate that one-half of all new HIV infections occur among people under age 25, with the majority contracted through sexual intercourse.

"In addition, most parents believe that sex education should encourage young people to delay sexual activity and prepare them to use birth control and practice safe sex once they do become sexually active, according to interviews conducted for the Kaiser Family Foundation 2000.

"It would also be important to note that with the amendment on page 2, those who receive federal funding for abstinence only education will be exempt from this bill.

"I urge my colleagues to support this measure. Thank you."

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

"Mr. Speaker, is there anything between a no vote and with reservations? Probably not. Mr. Speaker, this bill raises the bar for intellectual honesty in a very small area of which I think we're hypocritical to pass it. With the Committee and the way the bill language reads because much of data is in the eyes of the beholder and the user, when somebody disagrees with people who don't testify and the way that they agree with, this kind of data comes out. And usually democracy is self-correcting and data comes out, but I think the way that we pass bills, we don't have enough information. We don't have enough scientific spin to the things that we do.

"If we pass it, I would hope that we could raise the bar for all of the other things that we pass when we have a lack of information, or someone who has a particular bent towards a particular bill and by their personal persuasion allows others to agree with it. This one says we are going to be scientifically astute and I just don't think that is a truism, nor a bar that we as a body can live up to. So I have very serious reservations."

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

"Thank you, Mr. Speaker. With all due respect to the speaker from Hawaii Kai, science is a discrete phenomenon. We use science, particularly in the area of health to guide us on best practices so that we make our people safest. I really don't know what he's talking about as far as, 'in the eye of the beholder' when we talk about science, in that what HB No. 464 endeavors to do is to really meet both parties halfway. To neither deny people their right to do sexual health education. If they're religious organization, if they want to focus from their perspective on abstinence, this would not repeal funding from those groups. And on the other hand, we do encourage, in this case, that resources be put in the system based on evidence-based medicine. If we ban evidence-based medicine, Mr. Speaker, we really will need to dissolve the Health Committee. Thank you."

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

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill. As a mother who is keenly aware of my responsibility as a parent to prepare my children to make good life choices, I also realize that 'good choices' depends on the values that you keep.

"This bill requires those receiving State funding that provide sexual health education to provide medically accurate, factual information that is age-appropriate and includes education on both abstinence and contraception unless it would jeopardize federal funding for the recipient.

"In my opinion sex education should be handled in a delicate and loving way that teaches the values that I would like my children to uphold. I don't expect all parents to believe the way I do. If I find an organization that has the same values as I do, that organization should have the ability to receive State funding. I believe that is appropriate and as a taxpaying citizen those options should also be supported. This bill will stop organizations that believe in abstinence only sex education from receiving State funding. Mr. Speaker, I would like to see us support sex education that includes abstinence only or abstinence/contraception.

"I am also concerned what will be deemed medically accurate, factual information and age appropriate material. Bottom line Mr. Speaker is that we should not penalize organizations from receiving State funding should they choose to teach abstinence-only sex education or penalize the families that choose to send their children there. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representative Finnegan voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 720) recommending that H.B. No. 367, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 367, pass Second Reading and be

referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 720, with reservations. The part of the bill that I have reservations on is the development of the pilot program at the University of Hawaii. This is for intervention, if someone comes into a hospital and it appears they have problems with drug abuse or alcohol abuse.

"I like the part of the bill that says it's telling physicians to offer screening and counseling. I believe that is appropriate. But actually intervention, I disagree with. I believe that if someone wants to change their drug or alcohol habit, they will ask for help. I don't believe that it's appropriate that we pay for this intervention program."

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

"Standing in strong support and I'll insert written comments. But this is a very important bill and I think it follows up on the work we've done in preventing addiction. It gets people when they're starting and not when they're ending."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Mr. Speaker, we know that the abuse of alcohol and drugs in our State is too high. We also know that screening, counseling and referral for those who are abusing are effective techniques in reducing such abuse. It is important then that we help reduce the abuse rate by ensuring that a referral to appropriate alcohol and drug abuse screening and counseling is offered to a patient when an examining physician in a primary care or emergency room setting has good reason to suspect substance abuse by the patient.

"Mr. Speaker, this bill does just this. By investing in treatment we will reduce our incarceration rate and therefore reduce the cost to the State in the long-term. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 367, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 721) recommending that H.B. No. 1764, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1764, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict of interest. HHSC is one my clients, but I only advise them on procurement matters," and the Chair ruled, "no conflict."

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

"Mr. Speaker, same request please. If you could rule on a potential conflict of interest. I do contract work as a practicing emergency physician at HHSC," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. I ask for the same ruling. I have a spouse that works part-time as a healthcare worker at HHSC," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1764, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 722) recommending that H.B. No. 1828, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1828, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I'm sorry Mr. Speaker. Very briefly. Although I don't expect a lot of attention in opposition on this measure. I just wanted to mention that I'm in strong support. The economic impact of this bill is estimated to be $15,000 per year possibly. So it's very, very, very, very *manini* considering our budget of billions, but the goal of this bill is to provide some people cost reimbursement if they go and are part of the organ donation system.

"If they're going to get tests, if they have to fly to another island to get their tests and ultimately give a kidney or donate blood products that are special for people that might need bone marrow transplants. It almost doesn't rise to the level of a bill because it's such a small amount of money and so few people. The people that do provide organ donation to other people who are suffering are truly wonderful people and are so giving that I think that it's a good thing for us to pass. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1828, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 723) recommending that H.B. No. 231, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 231, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 723, I have some reservations on this. I like the direction this is going in, where this bill would exempt healthcare providers from paying the excise tax, but it seems to be limited only to the county surcharge, so that would

be half a percent. Perhaps maybe the title makes it so they can't do anything different, but that seems like a small amount of relief for healthcare. What we'd really like to see is all the excise tax taken off of those providers. Thank you."

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

"Thank you, Mr. Speaker. In support. With reference to the previous speaker, some very, very nice Republicans came to me and asked me to submit this bill which I do support, which is exempting them from the general excise tax county surcharge. I think the premise is that the general excise tax issue on healthcare is a big issue, but they wanted to make the statement that paying some of the extra tax from healthcare for rail didn't resonate with them. And that was, I thought, a reasonable position. So I supported some of my Republican friends and put this bill in."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 724) recommending that H.B. No. 541, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 541, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 725) recommending that H.B. No. 582, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 582, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 726) recommending that H.B. No. 1465, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1465, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Strong support for HB No. 1465, HD 1 with some very serious concerns. My concern is that the State Department of Health doesn't seem to understand healthcare. What this bill calls for is two 40-foot completely equipped medical vans that will give these very remote areas a level of urgent care. And they will be used as clinics during the day and can be driven to emergencies when and if they occur. These vans are $350,000 each. As my colleague from Kona says, that's about the cost to paint one of our hospitals.

"We have to start thinking less about hospitals and more about these kinds of mobile vans that we can use in rural areas. The bill just before this, where they're asking for a million five for emergency medical services for Mililani, we could put four of these vans there.

"I live 30 miles from a hospital. If you look at the area between Pahala and Nalehu, and if you want to get to Ka'u Hospital where my colleague from Kona does emergency work, and you have flooding in Kawa Flats, then you've got not access at all to that hospital, and that flooding occurs all the time. Then you're 60 miles away from the nearest hospital. And we just have to start thinking about less about hospitals and more about these mobile services. And when the Department of Health says that these emergency vans are no better than ambulances, I really wonder about their capability. We have a dental clinical van on the Big Island that goes around the island, provides valuable service.

"I just hope that this bill can move on and that the Department of Health will take a good hard look at these rural areas there that we're talking about that's bigger than Oahu. There is no Department of Health facility there. That just increases my concern. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1465, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 727) recommending that H.B. No. 1467, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A TWO-YEAR HEPATITIS C DEMONSTRATION PROJECT," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 728) recommending that H.B. No. 1534, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1534, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COVERAGE OF CERTIFIED SUBSTANCE ABUSE COUNSELORS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 729) recommending that H.B. No. 71, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 71, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"I rise with reservations on Stand. Com. Rep. No. 729. This bill has something to do with nurse aides and putting more requirements for them for any Medicare or Medicaid programs. These are your

small nursing homes and foster homes. As I mentioned in my previous speech, Mr. Speaker, we should be heading in a direction that is more friendly and more favorable to these types of providers.

"It is despicable, Mr. Speaker, that we are sending our *kupunas* to the mainland. And we are doing that because of regulations such as this which makes it very difficult for them to survive. Putting more regulations and oversight on this programs will cost them more money because now they have to have more qualifications and they have to be paid more for those substitute care providers in those care homes and nursing homes, Mr. Speaker. I want them to be paid more, but I don't want too much encumbrance for them to be hired and to work in this facilities.

"These are our unsung heroes, Mr. Speaker. And we should be yielding in favor of them. The people that came and testified for this were the Hawaii Coalition of Care Home Administrators and also DCCA. We need to move away from this type of oversight, Mr. Speaker." Thank you.

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 71, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 730) recommending that H.B. No. 807, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 807, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I stand in support of Stand. Com. Rep. No. 730. And just briefly, I'd just like to say that there are several caregiver bills we're talking about and a lot of them came out of the Interim Committee on Family Caregiving that took place this summer.

"The headlines in the paper this morning should really make us think about how we can encourage our family caregivers to take their loved ones back into their homes. But we need to help them. And Kupuna Care Services is one way we can help caregivers help keep their loved ones at home."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 807, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 731) recommending that H.B. No. 817, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 817, entitled: "A BILL FOR AN ACT RELATING TO SAGE PLUS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 732) recommending that H.B. No. 824, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 824, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 733) recommending that H.B. No. 1704, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1704, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I ask for a ruling on a potential conflict. Again the same thing, I advise HHSC," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I stand in strong support of Stand. Com. Rep. No. 733. I was not quite aware of when it was coming forward and I commend Representative Nakasone for putting this forward. As you know, as I've spoken before about Maunalani and our real effort right now to create a health system, or health system for Maui which would include Maui Memorial. This will make it a stronger entity to deal with Maulalani and in creating something for Lahaina as well. So I strongly support this."

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

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I stand in support of the measure before us. This bill will serve as an important tool to help us achieve a victory in the health crisis in Maui and maybe act as a model for the State as a whole. Long this Session, you've heard of my plea on behalf of my community to establish a small footprint hospital in West Maui. Contrary to the rumoring and vicious naysayer in the 'we hate Maui Memorial and want to destroy it all costs' crowd, this emergent/emergency care facility – which is being done by a private firm – needs an independent Maui Memorial if it is to flourish.

"Contrary to popular belief by these very same few, I wholeheartedly support the quest of Kihei for a second hospital, but it must be made clear, not at the expense of one for West Maui. I firmly believe that Malulani or a derivates thereof, can serve the needs of the Kihei community AND Mr. Speaker, co-exist if they work with Maui Memorial instead of against it.

"This bill is necessary so that Maui Memorial can compete and improve and be both an active player in the future of Maui healthcare services and provide a greater long term care bed and specialty care. This will allow Malulani to pursue other agreed upon services and acute care beds for South Maui.

"Unfortunately Maui Memorial's hand are tied when it comes to being able to address the problems of rural care in Maui County and to work with other entities in both West Maui and South Maui. Under the current scheme, they cannot participate as an equal partner in state-of-the-art healthcare delivery for us in West Maui or in South

Maui and will be unable to keep up with the demands of modern medicine. I hope this body, for the sake of true integrated healthcare delivery system in Maui, can support this important bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 734) recommending that H.B. No. 1200, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1200, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 735) recommending that H.B. No. 1831, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1831, entitled: "A BILL FOR AN ACT RELATING TO GAME MANAGEMENT AREAS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 736) recommending that H.B. No. 1578, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1578, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"I'm rising to cast a no vote on Stand. Com. Rep. No. 736. This is the gillnets bill and the delay of the implementation of DLNR's regulations. Thank you."

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

"I would also like a strong no on this measure. It's in line with HB No. 1848, HD1 and is extremely bad policy."

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

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

"Strong opposition as well."

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

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

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

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

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

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

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Bertram, Morita, Shimabukuro and Thielen voting no, and with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 737) recommending that H.B. No. 1948, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1948, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Carroll rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"This bill establishes Aha Moku Commission to assist in the formation regional Aha Moku Councils which shall serve in an advisory capacity on all matters regarding the management of the State's natural resources. It requires the Department of Land and Natural Resources to seek advisory assistance from the Aha Moku Councils in developing a comprehensive set of best practices for natural resource management. (H.B. 1948 H.D. 1)

"DLNR supports the intent of this measure but has concerns over how both the Commission and the Councils will be structured, and how council members will be selected. The Department also has concerns over the range of authorities granted to these councils.

"DLNR feels that there is no guarantee that selection of Commission member would be transparent or inclusive.

"The DLNR feels that "such a poorly designed mission is inappropriate for a cabinet level entity. The Department considers such as lack of detail to be a serious flaw in the bill.

"The DLNR feels that based on these concerns, they feel that this bill would instead be best served in the form of a native Hawaiian advisory group, as proposed in H.B. 1788. The Department welcomes an advisory body to make recommendation concerning Native Hawaiian matters.

"OHA supports the bill with amendments. They feel that "Native Hawaiian natural and cultural resource management skills, methods and abilities must be incorporated into the State's resource management plans."

"OHA feels that the "environment must survive with the culture and vice versa."

"OHA stated, "their only concerns lie with the possible creation of a too-burdensome bureaucratic layer that may so delay the management process of Hawaii's natural and cultural resource that could border on being irresponsible."

"OHA supports the intent of the bill but feels that the language is too broad."

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker I rise in the strongest support possible. This bill is a ground breaking measure that not only will it preserve and protect the cultural practices endemic to Hawaii and help to create educational knowledge of the ancient Native Hawaiian ways to our keiki, it would also provide a level of accountability over State government that has been needed far too long.

"I will tell you what this bill is not, Mr. Speaker, and that is sovereignty. What this bill is Mr. Speaker, is a system of community participation that all local people can be involved with, regardless of their background. The *Mokus* would be a way for agencies who draft rules and regs in high rises in Honolulu to ensure that the community is heard when it comes to the impacts on Native Hawaiian, and by extension, local practices in the areas of fishing, gathering and so on. These councils would operate on very little money, but it offers us a way to pay a big debt in a monumental way that will help to provide redress through the empowerment of the citizenry and not to another agency or group.

"The *Mokus* have already shown fruit as talks between our *kapuna* and the Department of Education in the quest of this bill have yielded a commitment to the adoption of education on the ways, practices and arts of the ancient Hawaiian people. In fact Mr. Speaker, I dare say that if the *Moku* system had been in place this summer, we wouldn't be having all this *pilikia* with the gill nets and DLNR.

"This is a good bill Mr. Speaker, and one that should also have an intangible return in helping to build bridges between all of us and our host culture through orderly empowerment of the average 'braddah'."

Representative Bertram rose to speak in support of the measure, stating:

"Strong support as well."

Representative Awana rose to speak in support of the measure, stating:

"Mr. Speaker, strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1948, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 738) recommending that H.B. No. 1905, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1905, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 739) recommending that H.B. No. 23, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 23, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 740) recommending that H.B. No. 681, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 681, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC INTEREST ATTORNEYS," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 741) recommending that H.B. No. 1493, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 742) recommending that H.B. No. 1326, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1326, HD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 742, with reservations. This also is to increase prosecution of fraud and my concern is that there's no language in here for an appropriation or impact study for our correctional facilities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1326, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 743) recommending that H.B. No. 629, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 629, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 744) recommending that H.B. No. 661, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 661, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"I rise with reservations and just a few short comments. As originally drafted, this bill would have adopted a comprehensive public funding system for election campaigns for us, the State House of Representatives. As amended, it would now apply to elections of the County Councils. I think this body could demonstrate some real leadership, and if you believe that this is a good form of campaign finance reform, that we should apply it to ourselves. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 745) recommending that H.B. No. 1550, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1550, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 746) recommending that H.B. No. 962, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 962, entitled: "A BILL FOR AN ACT RELATING TO CHRONIC KIDNEY DISEASE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 747) recommending that H.B. No. 1469, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1469, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 748) recommending that H.B. No. 1475, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 749) recommending that H.B. No. 1597, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1597, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 750) recommending that H.B. No. 827, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 827, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," passed Second Reading and was referred to the Committee on Finance with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 751) recommending that H.B. No. 109, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Human Services & Housing for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 109, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was adopted, passed, and recommitted to the Committee on Human Services & Housing for further consideration, with Representatives Takai, Takamine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 752) recommending that H.B. No. 110, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Human Services & Housing for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 110, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was adopted, passed, and recommitted to the Committee on Human Services & Housing for further consideration, with Representatives Takai, Takamine and Takumi being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Takai, Takamine and Takumi were excused.)

THIRD READING

H.B. No. 1248, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Takumi being excused.

H.B. No. 1249, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Takumi being excused.

H.B. No. 1513, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Takumi being excused.

At 2:31 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1248, HD 1
H.B. No. 1249, HD 1
H.B. No. 1513, HD 1

ANNOUNCEMENTS

Speaker Say: "The Chair would like to share with all, thank you for your indulgence in getting done very, very quickly, on behalf of the Neighbor Island colleagues and those living far away. From me to all of you, have a nice President's Day 3-day weekend."

Representative Ching: "I would just like to announce that it is Chinese New Year, the Year of the Golden Boar. It's supposed to be a very good year for prosperity. It comes around only once every 600 years. So I wish everyone here a *kung hee fat choy*."

ADJOURNMENT

At 2:33 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Tuesday, February 20, 2007. (Representatives Takai, Takamine and Takumi were excused.)

TWENTY-SECOND DAY

Tuesday, February 20, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Associate Pastor Brandon Consalvi of Southshore Christian Fellowship, after which the Roll was called showing all members present with the exception of Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-First Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 270 through 272) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 270, dated February 14, 2007, transmitting the Hawaii State Public Library System's amended Annual Report for fiscal year ending June 30, 2006.

Gov. Msg. No. 271, dated February 14, 2007, transmitting the Department of Public Safety's (PSD) response to HCR 130, H.D. 1, 2006, which required the PSD to conduct a security audit of the Hawaii Youth Correctional Facility (HYCF).

Gov. Msg. No. 272, dated February 15, 2007, transmitting the Report on Number of Exempt Positions Converted to Civil Service Positions During the Previous Twelve Months.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 30) was received and announced by the Clerk:

Sen. Com. No. 30, transmitting S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on February 16, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen were excused.)

S.B. No. 14, SD 1

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
155, SD1	Committee on Judiciary
605, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment
945	Committee on Judiciary

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
110, HD1	Committee on Finance
202, HD1	Committee on Higher Education, then to the Committee on Finance
203	Committee on Human Services & Housing, then to the Committee on Finance
747	Committee on Judiciary
1270, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1336	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1658	Committee on Finance
1677, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1800	Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 753) recommending that H.B. No. 1138, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 754) recommending that H.B. No. 1423, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 755) recommending that H.B. No. 1427, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was

adopted and H.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

At 12:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:13 o'clock p.m.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 756) recommending that H.B. No. 1376, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 757) recommending that H.B. No. 310, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was adopted, passed, and recommitted to the Committee on Economic Development & Business Concerns for further consideration with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen were excused.)

The Chair then stated:

"Representative Manahan, what is the motion before this body?"

Representative Manahan rose, stating:

"The motion before the body is to suspend the rules."

THIRD READING

H.B. No. 389, HD 1:

Representative B. Oshiro moved that H.B. No. 389, HD 1, pass Third Reading, seconded by Representative Waters.

Representative M. Oshiro rose to speak in support of the measure, stating:

"I stand in strong support of this rock-solid measure. Mr. Speaker, we passed a Senate bill last year. Unfortunately, it didn't make it through. I hope this year it does. It received support from even the Governor and the Lieutenant Governor last year, Mr. Speaker, so I hope this makes it all the way through."

The motion was put to vote by the Chair and carried, and H.B. No. 389, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 42 ayes, with Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen being excused.

At 12:17 o'clock p.m., the Chair noted that H.B. No. 389, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 45 and 46) were referred to Printing and further action was deferred:

H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF BAIL AGENTS," was offered by Representative Herkes.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES," was offered by Representative Herkes.

ANNOUNCEMENTS

Representative Tokioka: "Thank you, Mr. Speaker. It gives us both a great honor and privilege to acknowledge one of our colleagues, whose birthday is today. So, at this time Representative Hanohano."

Representative Hanohano: "Our colleague is Representative Karen Awana from District 44, Nanakuli. Today is her *hau`oli lā hānau*."

Speaker Say: "Representative Awana, would you like to disclose your age? Sweet sixteen?"

Representative Awana: "Forty-one. Thank you, Mr. Speaker."

Representative Herkes for the Committee on Consumer Protection & Commerce requested a waiver of the 48-hour advanced notice requirement to hear HB No. 96 Relating to Government, on Wednesday, February 21st for decision making at 2:00 p.m. in Conference Room 325, and the Chair "so ordered."

Speaker Say: "For Members of the House, if you turn to your Order of the Day, pages A through E, those are the hearing notices of your respective Committees that you do sit on."

ADJOURNMENT

At 12:19 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 21, 2007. (Representatives Bertram, Cabanilla, Caldwell, Carroll, Karamatsu, McKelvey, Sagum, Takamine and Thielen were excused.)

TWENTY-THIRD DAY

Wednesday, February 21, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Kumu Brad Lum from the Department of Education, after which the Roll was called showing all members present with the exception of Representatives Awana, Bertram, Caldwell, Karamatsu and Shimabukuro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Second Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 273 and 274) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 273, dated February 12, 2007, transmitting the Natural Energy Laboratory of Hawaii Authority FY 2006-2007 Status Report for the funding provided to the Natural Energy Laboratory of Hawaii during 2006 legislative session for increased security and for water quality laboratory manager position.

Gov. Msg. No. 274, informing the House that on February 20, 2007, the following bill was signed into law:

S.B. No. 25, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE." (ACT 001)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 31 through 36) were received and announced by the Clerk:

Sen. Com. No. 31, transmitting S.B. No. 68, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on February 20, 2007.

Sen. Com. No. 32, transmitting S.B. No. 948, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO REDUCE THE NUMBER OF NOMINEES FOR JUDICIAL VACANCIES," which passed Third Reading in the Senate on February 20, 2007.

Sen. Com. No. 33, transmitting S.B. No. 1147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHING LICENSURE," which passed Third Reading in the Senate on February 20, 2007.

Sen. Com. No. 34, transmitting S.B. No. 1665, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," which passed Third Reading in the Senate on February 20, 2007.

Sen. Com. No. 35, transmitting S.B. No. 1954, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUSTICES AND JUDGES," which passed Third Reading in the Senate on February 20, 2007.

Sen. Com. No. 36, transmitting S.B. No. 1957, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS," which passed Third Reading in the Senate on February 20, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro and Thielen were excused.)

S.B. No. 68, SD 1
S.B. No. 948, SD 1
S.B. No. 1147, SD 1
S.B. No. 1665
S.B. No. 1954, SD 1
S.B. No. 1957, SD 1

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

H.C.R. Nos.	Referred to:
45	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
46	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

The following bill was referred to committee by the Speaker:

S.B. No.	Referred to:
14, SD1	Committee on Higher Education

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
310, HD1	Committee on Finance
1171	Committee on Finance

At 12:11 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 758) recommending that H.B. No. 718, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 718, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Waters.

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I believe the Kewalo Keiki Fishing Conservancy Program can serve as a cutting edge model for this project in our community. Also it will assist with aquatic resource management for the Department of Land and Natural Resources. The Department also stands in support of this. I have the documentation in my hand. And it also allows us to bring out

Kewalo Basin's unique cultural and historical significance in depicting our evolution in Hawaii's fisheries. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Can I have the words of the speaker from Waikiki be placed in the Journal as if they were my own, in support?" and the Chair "so ordered." (By reference only.)

Representative Mizuno continued, stating:

"In addition, I just wanted to touch on a couple more highlights regarding this measure. This measure will ensure that our *keiki* have access to fishing opportunities and it also provides them with an educational program as well. The groups are limited to no more than ten. It's also important to note that they will also be available to the disabled and the *kupuna.* And I really feel that without this program, they wouldn't have an opportunity to experience fishing.

"Furthermore the group also participates in a tag and release program. And finally, this has a strong family component with it. If a parent or parents do not know how to fish, this program will teach both the parents or the parent how to fish, and the next day they'll bring their kids back. And they'll be able to teach their kids how to fish. So for the foregoing reasons I stand in strong support of this measure."

Representative Ching rose in support of the measure, stating:

"Thank you, Mr. Speaker. In support. And I ask that the words of the Representatives from Kalihi and Waikiki be incorporated as my own," and the Chair "so ordered." (By reference only.)

Representative Ching continued, stating:

"I've been to fishing expeditions with the students of my district and I can attest to the positive results when children are allowed to get out in the wild. I hope that this has some sort of an impact on crime. So with that, I ask for additional written comments," and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of H.B. 718 – Relating to Kakaako, which would require the Hawaii Community Development Authority to set aside TMK: 2-1-58:41 in Kakaako for use by the Kewalo Keiki Fishing Conservancy and to develop a new facility at this site.

"This bill supports a program that is wholesome and profoundly affects our children in a positive manner. Early indoctrination and familiarization of Hawaii's youth to practice sound ocean resource use and conservation measures are the cornerstones toward ensuring sustainable ocean resources for them and the generations to follow. This site will provide a valuable avenue by which our children and grandchildren would be able to experience the privilege and enjoyment of their ancestors in fishing when this island was still developing.

"The efforts of the Kewalo Keiki Fishing Conservancy to educate the children of Hawaii through the promotion of good stewardship of our ocean resources including the perpetuation of Hawaiian cultural traditions are commendable. Children benefit in so many different ways by the Kewalo Keiki Fishing Conservancy program. They learn a skill which will give them pleasure and enjoyment all their lives. They learn about the need to conserve the fish population and to study the habits of the fish they catch by tagging. They learn principles of the Hawaiian culture. This program re-connects Hawaii keiki to the *aina*.

"Efforts to preserve and contain these very unique marine ecosystems by programs such as the Kewalo Fishing Conservancy must be given the full support of our community. To ensure the continuation of this valuable educational and youth development program, it is imperative to have the Hawaii Community Development Authority to set aside the approximately 15,000 square feet of Kewalo Basin Cove for continued use by the Kewalo Keiki Fishing Conservancy. Complementing this, the Hawaii Community Development Authority must also proceed with the necessary environmental remediation at the site using existing funds for that purpose. This requires the cooperation of DLNR among other responsible parties. Provided the site is fully cleaned and will exceed the highest environmental standards ensuring the safety of all who use this site, HB 718 has my support."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm in support of the idea, but with some strong reservations. The State created HCDA to create a comprehensive plan for redeveloping the Kakaako and Kewalo area and it seems that every time they come up with an idea, this body slams it down. We're looking at extremely valuable property there. In recent days the newspapers covered the fact that HCDA is going to take over the management of Kewalo Basin and they plan to raise the fees for all the commercial boating enterprises there, double. There's no question that this harbor needs improvement, but it's all going to fall on this fairly small community of commercial fishermen.

"This area that the Kewalo Keiki Fishing folks want is the old ice house. It is waterfront. I think that we've had, HCDA has had numerous, different businesses, offer ideas of promenades, shops, restaurants, various things. It's extremely valuable property and I don't know why we ever created the HCDA if every time they come up with something, put it out to bid, businesses spend hundreds of thousands of dollars coming up with renderings, drawings of their ideas, and we in this Chamber shoot it down. I think this is moving in that direction again. We'll have a lot of spotty development. It just doesn't seem like the wisest thing to do. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of the measure. Mr. Speaker, one of my fondest father-daughter activities is fishing. Neither of us are very good except I know that this area has actual fish in it so we can catch fish. In regards to the HCDA and some of the doubts of the previous speaker, I think this is something where the *keiki* have less activities than they might otherwise have. We have no other place for fishing that's specifically for teaching and for bringing the whole family together. So I think this is a good measure."

Representative Meyer rose to respond, stating:

"Mr. Speaker, I don't think I'm going to convince anybody in this Chamber, but my son fished in Kewalo Basin off the various piers, caught fish, spent hours down there. I was always amazed at the fish that he caught. It's not as though we don't have miles and miles of shoreline where fishing can take place. And again, I just go back to the fact that we are talking about a very valuable, expensive property. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 718, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 759) recommending that H.B. No. 135, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 135, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Waters.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. This bill establishes the Candidate Advisory Council to screen and propose candidates for appointment to the Board of Regents of the University of Hawaii. And my concerns come from some of the testimony. Basically, an advisory council or a screening committee should not be composed of a collection of special interest representatives. Rather, it should be composed of members who have the best interest of the University as a whole in mind and are beholden to no special interest.

"Advisory councils such as the one that is proposed in this bill are strongly opposed by the Association of Governing Boards, the only national organization focused on governance and citizen trusteeship at institutions of higher education in the country. Richard Legon, the president of the Association of Governing Boards of Universities and Colleges submitted testimony on this stating, "Governing boards should not have designated slots because public citizen trustees should be comprised of outstanding citizens who are independent in their individual and collective judgment. They should be there to serve the people of the state, not segments of the state or special interests." It follows that, "An advisory council or screening committee should not be composed of a collection of special interest representatives, notwithstanding the necessity of these representatives' voices and actions in other important affairs."

"Also, Barbara, I think it's Beno, president of the Western Association of Schools and Colleges Accrediting Commission for Community and Junior Colleges, which oversees the accreditation process for the seven community colleges in the University of Hawaii system, has expressed reservations about the proposed advisory board stating, "A constituency based advisory body could contribute to the politicization of governance at the UH." Thank you."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. First, I'd like to commend the Chair of Higher Education Committee for doing such a great job on this particular measure. Mr. Speaker, as you recall, the voters of this State in the last election approved the constitutional amendment that establishes what we call now the candidate advisory council for the Board of Regents at the University of Hawaii. And I have some concerns regarding what the previous speaker has spoken about, mainly because the current process before the adoption of the constitutional amendment allowed for the Governor to pick every single one of the twelve members of the Board of Regents. That to me is more political than anything else. I think this process which is prescribed by House Bill 135, HD 1, proposes to involve a whole slew of different constituencies to recommend to the Governor to make the best choices for the Board of Regents. I think this is by far, a step in the right direction.

"In addition, Mr. Speaker, if Members take a look at this entire bill, you'd be extremely pleased to note the expansion of the Board in terms of representation of geographical areas of the State, an expansion of the terms from four years to five years, and a few other things. I think that every Member of this House and hopefully the Senate should embrace this because the voters of this state demanded it. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I just want to clarify that you know, I'm not saying to go back to the Governor appointing all the members of the Board of Regents. That's not something that needs to be decided here and now. What needs to be decided is how we select that candidate selection panel. And that is not comparing how it used to be, but how can we make it the best possible process in order to govern our University. And so as we look at it, we still have quite a bit of time in this Session and we need to look at some of these people who deal with this type of issue, and learn from some of the mistakes that other states have made. Thank you."

Representative Ching rose in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just a vote with reservations and written comments, please. I'm in full support of an excellent University."

Representative Ching's written remarks are as follows:

"Thank you Mr. Speaker, I stand with reservations. I support the intent of H.B. 135 that would establish a Candidate Advisory Council to screen and propose candidates for appointment to the Board of Regents.

"Dr. Barbara Beno, President of the Western Association of Schools and Colleges Accrediting Commission for Community and Junior Colleges, which oversees the accreditation process for the seven community colleges in the UH System, expresses concern over the implications of this legislation. Echoing her statements, "a constituency-based advisory body could contribute to the politicization of governance at the University of Hawai`i." While well intended, H.B. 135 in its current form creates more politics in the Regents selection process."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I want to counter some of the comments made by the Minority Leader when she called some of these members, 'special interests'. You know, I think that's a mischaracterization that we often throw around in this body. Everybody has an interest and really, is it something you consider special to you? Then I guess it is a special interest. But beyond that I don't think we should necessarily be saying that those interests that the people represent are somehow biased, or actually should be mischaracterized as something negative.

"When you look at the bill on page 5 and 6, the membership of the Council is actually people I would want to have on there anyway to hear from. Specifically it's the faculty, the students, the alumni association. I don't see why we wouldn't want to have those people involved in the overall process. Now there is one member from each Chamber, as well as one from the Governor. But I think as we stated before, we want to make sure that there is some accountability, and that's why we make sure that there's some political appointments. But beyond that the rest of the membership, I don't think is special interest. Thank you very much."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"I would like to register a vote with reservations. I note that the way the Regents were selected for many, many decades in this State was that the Governor appointed them. That's how the majority of states across the country do it. And they prefer that over this Council."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 135, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading, and was placed on the calendar

for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 760) recommending that H.B. No. 118, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 118, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 761) recommending that H.B. No. 513, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 513, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 762) recommending that H.B. No. 1207, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 763) recommending that H.B. No. 1225, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1225, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 764) recommending that H.B. No. 1287, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1287, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Waters.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise on Stand. Com. Rep. No. 764 with a technical point. I'm in support, but it was a misunderstanding in the Finance Committee. I think the way it's written here, there's a misunderstanding, because House Bill 1287 is not to eliminate escheatment. It's to eliminate permanent escheatment.

"One of the testifiers came in and said "Oh, you mean the State's going to take away the money." Well, in the old system it did after five years. This one says, as long as you haven't claimed your property, it's always going to be available to you. So it's not eliminating escheatment. It's eliminating permanent escheatment. Which means that any time a citizen wants to claim their property, they can do it and the State of Hawaii will relinquish it. So it's a very good bill, but it's improperly written here. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 765) recommending that H.B. No. 122, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 766) recommending that H.B. No. 259, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 259, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Waters.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. This bill would allow the Board of Water Supply to issue bonds without oversight by the City Council, giving the Board of Water Supply almost complete autonomy. I saw that Council Chair Barbara Marshall was not in favor of this. I just would question whether this is the way this should go. Thank you."

Representative Belatti rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 767) recommending that H.B. No. 421, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS," passed Second Reading, and was placed on the calendar

for Third Reading with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 768) recommending that H.B. No. 1411, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Finance for further consideration.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1411, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was adopted, passed, and recommitted to the Committee on Finance for further consideration with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka were excused.)

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 769) recommending that H.B. No. 1104, HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, the report of the Committee was adopted and H.B. No. 1104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 44 ayes, with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 770) recommending that H.B. No. 416, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 416, pass Third Reading, seconded by Representative Waters.

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Morita rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

At 12:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

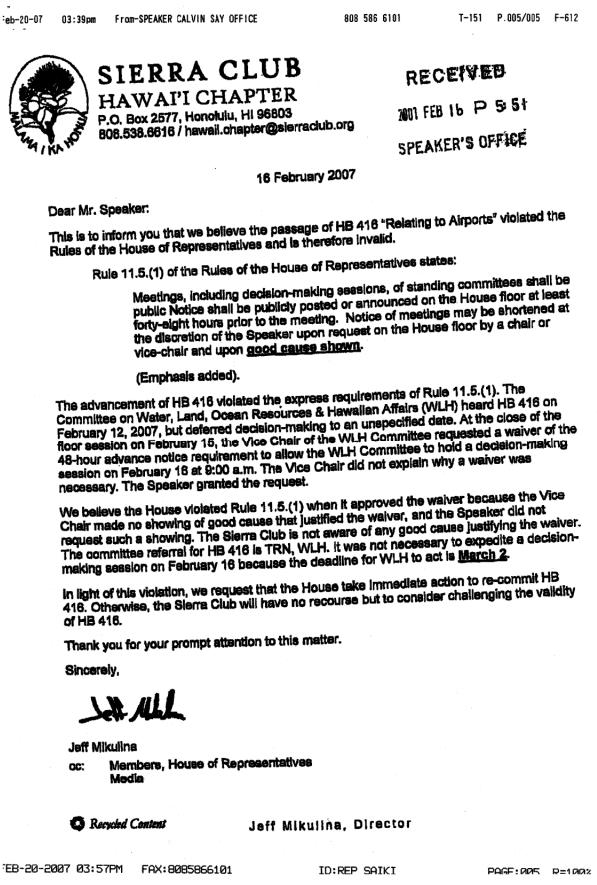
Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Saiki rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this measure for the reasons stated in the correspondence from the Sierra Club of Hawaii dated February 16, 2007, which reads as follows:



Feb-20-07 03:39pm From-SPEAKER CALVIN SAY OFFICE 808 586 6101 T-151 P.005/005 F-612

SIERRA CLUB
HAWAI'I CHAPTER
P.O. Box 2577, Honolulu, HI 96803
808.538.6616 / hawaii.chapter@sierraclub.org

RECEIVED
2007 FEB 16 P 5:51
SPEAKER'S OFFICE

16 February 2007

Dear Mr. Speaker:

This is to inform you that we believe the passage of HB 416 "Relating to Airports" violated the Rules of the House of Representatives and is therefore invalid.

Rule 11.5.(1) of the Rules of the House of Representatives states:

> Meetings, including decision-making sessions, of standing committees shall be public Notice shall be publicly posted or announced on the House floor at least forty-eight hours prior to the meeting. Notice of meetings may be shortened at the discretion of the Speaker upon request on the House floor by a chair or vice-chair and upon good cause shown.
>
> (Emphasis added).

The advancement of HB 416 violated the express requirements of Rule 11.5.(1). The Committee on Water, Land, Ocean Resources & Hawaiian Affairs (WLH) heard HB 416 on February 12, 2007, but deferred decision-making to an unspecified date. At the close of the floor session on February 15, the Vice Chair of the WLH Committee requested a waiver of the 48-hour advance notice requirement to allow the WLH Committee to hold a decision-making session on February 16 at 9:00 a.m. The Vice Chair did not explain why a waiver was necessary. The Speaker granted the request.

We believe the House violated Rule 11.5.(1) when it approved the waiver because the Vice Chair made no showing of good cause that justified the waiver, and the Speaker did not request such a showing. The Sierra Club is not aware of any good cause justifying the waiver. The committee referral for HB 416 is TRN, WLH. It was not necessary to expedite a decision-making session on February 16 because the deadline for WLH to act is March 2.

In light of this violation, we request that the House take immediate action to re-commit HB 416. Otherwise, the Sierra Club will have no recourse but to consider challenging the validity of HB 416.

Thank you for your prompt attention to this matter.

Sincerely,

Jeff Mikulina

cc: Members, House of Representatives
Media

Recycled Content Jeff Mikulina, Director

FEB-20-2007 03:57PM FAX:8085866101 ID:REP SAIKI PAGE:005 R=100%

Thank you very much."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Chong rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 416, entitled: "A BILL FOR AN ACT RELATING TO AIRPORTS," passed Third Reading by a vote of 38 ayes to 6 noes, with Representatives Berg, Green, Hanohano, Morita, Rhoads and Saiki voting no, and with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

At 12:41 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

H.B. No. 1104, HD 1
H.B. No. 416

THIRD READING

H.B. No. 1138:

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Third Reading by a vote of 44 ayes, with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

H.B. No. 1423:

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, H.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," passed Third Reading by a vote of 44 ayes, with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

H.B. No. 1427:

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, H.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 44 ayes, with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

H.B. No. 1376:

On motion by Representative B. Oshiro, seconded by Representative Waters and carried, H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL," passed Third Reading by a vote of 44 ayes, with Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka being excused.

At 12:42 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

H.B. No. 1138
H.B. No. 1423
H.B. No. 1427
H.B. No. 1376

ANNOUNCEMENTS

Speaker Say: "At this point, the Chair would like to acknowledge that from pages A to KK, they are the committee hearings that are being conducted today and tomorrow."

Representative Rhoads for the Committee on Human Services and Housing requested a waiver of the 48-hour advanced notice requirement to hear H.B. No. 111 for the Human Services and Housing Committee.

Representative Rhoads: "It is a short form bill that we unexpectedly need to put on the agenda after the hearing notice was filed," and the Chair "so ordered."

Representative Berg: "I would just like to announce to my colleagues that I will be distributing ten copies of this parent guide which is the insert in the *Honolulu Advertiser* today. It is full of information and resources on parenting. It's for the use of my colleagues for their constituents and their staff to distribute."

ADJOURNMENT

At 12:43 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, March 1, 2007. (Representatives Awana, Bertram, Caldwell, Karamatsu, Shimabukuro, Thielen and Tokioka were excused.)

TWENTY-FOURTH DAY

Thursday, March 1, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative John Mizuno, after which the Roll was called showing all members present with the exception of Representatives Carroll, Nishimoto, M. Oshiro and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Days were approved. (Representatives Carroll, Nishimoto, M. Oshiro and Thielen were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 275 through 282) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 275, dated February 20, 2007, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for January 2007.

Gov. Msg. No. 276, dated February 14, 2007, transmitting the Department of Public Safety's response to Act 160, Section 63.3, Session Laws of Hawaii 2006, requiring a report from the Department of Public Safety, Sheriff's Division, on the operation and maintenance of all vehicles within the division.

Gov. Msg. No. 277, dated February 22, 2007, transmitting the Department of Agriculture Annual Report, Fiscal Year 2006.

Gov. Msg. No. 278, dated February 15, 2007, transmitting the State of Hawaii Program Memoranda.

Gov. Msg. No. 279, dated February 21, 2007, transmitting the Department of Human Services' Report on Infant and Toddler Care.

Gov. Msg. No. 280, dated February 21, 2007, transmitting the Department of Human Services' Report on TANF outcomes and contracts.

Gov. Msg. No. 281, dated February 21, 2007, transmitting the Department of Human Services' Report on the Financial Plan for Federal TANF Funds.

Gov. Msg. No. 282, dated February 21, 2007, transmitting the following Department of Taxation's Reports:

1. Annual Report 2005-2006
2. Hawaii Income Patterns Businesses 2002
3. Hawaii Income Patterns Individuals 2003
4. Tax Credits Claimed by Hawaii Taxpayers 2003
5. Tax Credits Claimed by Hawaii Taxpayers 2004

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 52) was received by the Clerk and was placed on file:

Dept. Com. No. 52, from the Office of Hawaiian Affairs, transmitting their 2006 Annual Report.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Karamatsu introduced Ms. Leah Craft of the Small Business Development Center.

Representative Chang introduced his classmate, Mr. William Takabe, Hawaii County Director of Finance.

Representative B. Oshiro introduced members with the National Conference of State Legislatures Institute for State Tribal Relations: Dr. Kate Spilde Contreras, Ms. Sia Davis, Ms. Corina Eckl, Ms. Melissa Savage, Ms. Linda Sikkema and Ms. Andrea Wilkins

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
68, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce
948, SD1	Committee on Judiciary, then to the Committee on Finance
1147, SD1	Committee on Education, then to the Committee on Finance
1665	Committee on Judiciary
1954, SD1	Committee on Judiciary
1957, SD1	Committee on Judiciary

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
840	Committee on Finance
1244	Committee on Human Services & Housing, then to the Committee on Finance
1358, HD1	Committee on Human Services & Housing

S.B. No.	Re-referred to:
958, SD1	Committee on Energy & Environmental Protection, then to the Committee on Agriculture

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 30) was announced by the Clerk and the following action taken:

H.R. No. 30, entitled: "HOUSE RESOLUTION COMMENDING BENEDICTO R. GALINDO, M.D., IN RECOGNITION OF HIS ACCOMPLISHMENTS AND SERVICE TO THE PEOPLE OF HAWAII," was offered by Representative Mizuno.

Representative Mizuno, moved that H.R. No. 30 be adopted, seconded by Representative Green.

Representative Mizuno introduced Dr. Benedicto R. Galindo and Mrs. Adelaida Galindo.

Representative Green recognized Mrs. Galindo for her accomplishments.

Representatives Magaoay and Cabanilla further recognized and thanked Dr. Galindo.

The motion was put to vote by the Chair and carried, and H.R. No. 30 was adopted with Representatives Carroll, Nakasone, Nishimoto, M. Oshiro and Thielen being excused.

The following resolution (H.R. No. 31) was announced by the Clerk and the following action taken:

H.R. No. 31, entitled: "HOUSE RESOLUTION HONORING AND EXPRESSING GRATITUDE TO THE AMERICAN RED CROSS, HAWAII STATE CHAPTER, FOR THEIR HUMANITARIAN ROLE IN OUR COMMUNITY," was jointly offered by Representatives Marumoto, Awana, Belatti, Caldwell, Chang, Evans, Finnegan, Green, Luke, Magaoay, Meyer, Mizuno, Morita, Nishimoto, Shimabukuro, Takai, Wakai, Yamane, Bertram, Cabanilla, Ito, Nakasone and Tsuji.

Representative Marumoto, moved that H.R. No. 31 be adopted, seconded by Representative Green.

Representative Marumoto recognized the American Red Cross, Hawaii State Chapter.

Representative Green introduced from the American Red Cross, Hawaii State Chapter, Chief Executive Officer, Ms. Coralie Chun Matayoshi; and Board of Directors Executive Committee members, Ms. Tertia Freas, Mr. Gerald Sumida, and Chairman Emeritus, Mr. John Henry Felix.

Representatives Ward and Yamane further recognized the American Red Cross, Hawaii State Chapter.

The motion was put to vote by the Chair and carried, and H.R. No. 31 was adopted with Representatives Carroll, Nakasone, Nishimoto, M. Oshiro, Thielen and Waters being excused.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Magaoay, on behalf of Representative M. Oshiro, introduced 5th grade students from Helemano Elementary and their teachers, Ms. Sheri Garma, Ms. Katie Harding, Mr. Shelton Teruya, and Ms. Pat Castellano.

At 12:28 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 771) recommending that H.B. No. 111, as amended in HD 1, be adopted, passed, and recommitted to the Committee on Human Services & Housing for further consideration.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 111, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was adopted, passed, and recommitted to the Committee on Human Services & Housing for further consideration, with Representatives Carroll, Nakasone, Nishimoto, Saiki, Thielen and Yamane being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 772) recommending that H.B. No. 1157, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 773) recommending that H.B. No. 1158, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO ARSON," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 774) recommending that H.B. No. 660, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 660, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 775) recommending that H.B. No. 345, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 345, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. I entered politics with hopes to make our State, nation, and world more peaceful. I believe we must all play a role in

promoting peace. Too often, the cycle of violence is fueled through anger and revenge. Every generation has witnessed violence domestically and abroad. As a representative of Generation X, I am determined to continue striving for peace throughout the world just as the leaders before me.

"I was pleased when I learned that the Hawaii Federation of Junior Young Buddhist Association was working on a peace resolution. After talking to their advisor, I decided to introduce a peace day bill on their behalf. I was touched to know that young leaders in the next generation, Generation Y had the same dream of attaining a more peaceful world.

"House Bill 345 would establish September 21st of each year as "Peace Day" to promote peace programs, improve international relations, and increase educational awareness of peace. If we all work towards this goal of a more peaceful world, we will see priceless results and touch many lives. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 776) recommending that H.B. No. 1264, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1264, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 777) recommending that H.B. No. 1563, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1563, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 778) recommending that H.B. No. 1564, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1564, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 779) recommending that H.B. No. 1566, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1566, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 780) recommending that H.B. No. 1567, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1567, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 781) recommending that H.B. No. 1568, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1568, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 782) recommending that H.B. No. 1569, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1569, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 783) recommending that H.B. No. 1570, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 784) recommending that H.B. No. 1572, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1572, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 785) recommending that H.B. No.

1573, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1573, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 786) recommending that H.B. No. 1336, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 787) recommending that H.B. No. 1612, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1612, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 788) recommending that H.B. No. 613, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 613, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 789) recommending that H.B. No. 1034, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1034, entitled: "A BILL FOR AN ACT RELATING TO TAXES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Yamane and Cabanilla, for the Committee on Tourism & Culture and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 790) recommending that H.B. No. 1103, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1103, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise in support of this legislation which officially recognizes the Asian or Lunar New Year.

"This is very similar to HB 941, which I submitted, officially recognizing the Asian New Year, calling for an observance, but not a holiday.

"The Asian New Year, known in China as the Spring Festival, or the Lunar New Year, is the most important of the traditional Eastern holidays. The festival proper begins on the first day of the first lunar month in the Chinese calendar and ends on the15th day, on the Lantern Festival. The beginnings of the Chinese calendar date back thousands of years.

"The New Year falls on different dates each year, between January 21 and February 20, occurring at the time of the full moon. The New Year is celebrated worldwide in areas with large populations of Asians. It is considered a major holiday in Asia by ethnic groups strongly influenced by Chinese culture such as Koreans, Hmong, Mongolians, Vietnamese, Tibetans, the Nepalese and the Bhutanese. The New Year is also the time of the largest human migration, when overseas Chinese all around the world travel home to observe the occasion with their families.

"According to legend, in ancient China, the *nian*, a man-eating beast from the mountains, could silently infiltrate houses to prey on humans. The people believed that the *nian* was sensitive to loud noises and the color red, so they scared it away with explosions, fireworks and the liberal use of the color red. These customs led to the first New Year's celebrations.

"I believe that the desire is strong among Hawaii's population for recognition of the Lunar New Year. Among those supporting this recognition are Dr. Chuck Yim Gee, Dean Emeritus of the School of Travel Industry Management at the University, Lily and Larry Chang of the Chinese Community Broadcasting Co., Karl Kao of the World Journal Newspaper, Joseph Chow of the Sing Tao Newspaper, Johnson Choi, President of the Hong Kong-China-Hawaii Chamber of Commerce, and many others too numerous to mention.

"Because of the prominence of Hawaii's Chinese population and the emphasis on promoting tourism from China, several other legislators also introduced bills to establish a Chinese Lunar New Year Day or Week observance. These are: Senate Bill No. 247 establishing the Asian Lunar New Year Commemoration Week, House Bill No. 941, recognizing the Asian Lunar New Year Day, and House Bill No. 1103, a companion measure to SB 247, establishing the Asian Lunar New Year Commemoration Week.

"I am gratified that this bill will accomplish that goal, and I give it my full support."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you Mr. Speaker. I rise in support of House Bill 1103 - Relating to Asian Lunar New Year Commemoration.

"There are many countries that observe the Asian Lunar New Year. These countries – China, including Taiwan and Hong Kong, Vietnam and Thailand – are becoming important markets for Hawaii's

products and services. Having an official observance of the Asian Lunar New Year could work in our favor as we establish and solidify relationships with these countries.

"Because we are a multi-cultural community, Hawaii embraces many different ethnic celebrations. Chinese New Year has become a part of our island tradition. One just has to go to Chinatown on the Friday night before Chinese New Year to witness its popularity. Thousands of people are crammed on Maunakea Street to watch the lion dance and spread its good luck amongst the many merchants and businesses in the area. Designating an official State observance of the Asian Lunar New year is a move that would please both our Asian and non-Asian communities alike."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1103, entitled: "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 791) recommending that H.B. No. 1153, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1153, entitled: "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 792) recommending that H.B. No. 1919, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1919, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 793) recommending that H.B. No. 516, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 516, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 794) recommending that H.B. No. 303, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 303, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 795) recommending that H.B. No. 987, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 987, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE OFFICERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 796) recommending that H.B. No. 1130, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 797) recommending that H.B. No. 1131, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 798) recommending that H.B. No. 1132, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1132, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1132, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 799) recommending that H.B. No. 583, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 800) recommending that H.B. No. 910, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.B. No. 910, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 801) recommending that H.B. No. 975, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 975, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 802) recommending that H.B. No. 1149, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1149, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, thank you. On Stand. Com. Rep. No. 802, I stand with reservations. It's one of those bills that increases penalties and will put people in jail if convicted. There is no appropriation language or impact study in this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1149, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 803) recommending that H.B. No. 1512, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 804) recommending that H.B. No. 1836, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1836, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you Mr. Speaker. I rise in support of House Bill 1836 – Relating to Gambling.

"Mr. Speaker, the Legislature has fought gambling for the last ten years. Companies have found a 'loophole' in our current laws banning gambling, and have placed vending machines all over the Honolulu in which they have circumvented the gambling laws here by using the guise of long distance cards. In these vending machines they sell sweepstakes cards, usually for a dollar, very similar to how lottery tickets are sold. When you purchase this card you are given two minutes of long distance phone time.

"It is very clear that the long distance phone time is only offered to get around Hawaii's anti-gambling laws, as two minutes of long distance time to the US mainland does not run anywhere near a dollar and in today's market long distance can be free on your cell phone, cost a few cents with a calling card, or you can get unlimited long distance for a nominal charge. The sole purpose of purchasing these cards is to have a chance at winning the sweepstakes, usually a cash prize worth hundreds of times more than the cost of a single game piece itself.

"HPD has found that many people buy these calling cards in large quantities, often disposing of the card without ever using the long distance time available on the card. HPD has also found that a lot of these cards do not work, even when activated.

"This bill defines in very clear terms the properties of sweepstakes machines that are currently in place in Honolulu locations. This bill makes it known that gambling includes the purchase of a sweepstakes entry that also provides a nominal, non gambling value even if the sweepstakes entry can be obtained without payment of consideration. By passing this legislation it will make it possible to ban these machines and avoid any possible escalation of further gambling of this nature in our State. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1836, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 805) recommending that H.B. No. 128, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 806) recommending that H.B. No. 909, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTEREST," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 807) recommending that H.B. No. 1108, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII

REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 808) recommending that H.B. No. 380, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 380, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PARTICIPATION IN GOVERNMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 809) recommending that H.B. No. 1565, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1565, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 810) recommending that H.B. No. 1785, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1785, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 811) recommending that H.B. No. 1786, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1786, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 812) recommending that H.B. No. 1412, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1412, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 813) recommending that H.B. No. 1188, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 814) recommending that H.B. No. 1337, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 815) recommending that H.B. No. 330, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 330, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just briefly, some of my colleagues may consider this bill an over-reaction of what is a relatively minor problem, but in my district, prostitution is more than a minor problem. There's the drug dealing that goes along with it. There are the pimps and the enforcers along Kukui Street. The residents are afraid to leave their homes after dark, and just going to the grocery store at Long's Pali is an adventure that they don't want to partake in. I ask that my colleagues will keep an open mind about this bill before we get to Third Reading. Mahalo."

Representative Evans rose to speak in opposition to the measure, stating:

"I stand in opposition. First, I want to comment that for a third and subsequent conviction for prostitution, this bill will make it a Class C felony. One of the things is that there's no language in here for its impact on our correctional facilities and appropriation language.

"But beyond that, I just want to talk about this issue of prostitution. If there is a third offense, they are going to be put in jail for this. I think that prostitution is a symptom. If you want to go to the cause, let's put our money where it counts and look at why are people involved in this business. This is about supply and demand. If you want to take out the demand, put the money where the demand is. And if people are out there, desiring and asking for it, it's going to happen. This has been around forever. I'm a little disappointed that we're going this route. I think we need to look at what's the underlying cause. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just in strong support and ask that the comments from the Representative from Downtown and Chinatown

be incorporated as my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I wish to echo the remarks from the representative from Waikoloa, somewhat. At this point, I have strong reservations, but on Third Reading I might be in opposition at that point in time.

"I believe that again, we have another felony charge. We continue not to increase the space at Halawa and the prison space. We cannot continue to do this, adding more felony charges, putting people in jail and not building anymore prisons in here Hawaii. Thank you very much."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"Just a vote with reservations, Mr. Speaker. And may I request the words of the gentlemen from Kahului be entered into the Journal as my own. In addition, Mr. Speaker, the bill does not specifically address what I believe the Representative from Downtown is complaining about, which is the drug issue. I believe that if the drug issue was incorporated in here, and then make it a Class C felony, it will be a lot easier to pass. Thank you very much."

Representative Lee rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise with reservations on HB330. I am not a proponent of legalized prostitution; however, we need to remember just who is the victim here. I would like to quote from the article recently written by Melissa Farly in the *Honolulu Weekly*. She said:

> Wherever prostitution thrives, so does sex trafficking. If you were a pimp, where would you market your product? Someplace like Sweden, where there's a law against buying or selling people for sex? Or would you pimp women to countries that lay out a legal welcome mat: the Netherlands, Germany, Australia and wherever prostitution is legal? Sweden has an excellent prostitution law in which buyers and sellers of women are criminalized but prostituted people are not. Trafficking has plummeted in Sweden since the law was passed.
>
> We need a law that protects victims while it also effectively targets predators. Pimps and sex traffickers are not the only sex predators: Johns are predators, too.

"I am afraid that this law would be mostly applied to the female prostitute who, in many ways, is the tragic victim of greed and violence. Thank you."

Representative Bertram rose in opposition to the measure and asked that the remarks of Representative Evans be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker. I'm standing with reservations. This issue for me is that some of these women are victims of sex abuse themselves, and throwing the in jail is not addressing the problem. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram and Evans voting no, and with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 816) recommending that H.B. No. 451, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 451, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. This bill will impose mandatory jail time for repeat offenders so again, this does not have appropriation language or an impact study on our correctional facility. There is no language to that effect in this bill."

Representative Waters rose to speak in support of the measure, stating:

"Just to clarify, Mr. Speaker. The original draft called for mandatory jail time. This calls for mandatory community service where the offender needs to go out into the community and repaint graffiti stricken walls."

Representative Ching rose to speak in support of the measure, stating:

"Thank you. In strong support. In my district, as I suspect in many other districts, graffiti has gotten quite out of control. It's a problem that affects not just the morale of our people who we serve, but also our businesses. And it's a big cost to our State. And the fact is that I do believe that, as in many cases, what we need to do is to make sure we put strict guidelines down and say that this is unacceptable. I think work, community service, is a wonderful way to make sure that the offenders give back to the community of which they have taken away. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"I have reservations on this because I feel the community service is too easy a penalty for people who tend to do graffiti over, and over again. At sometime or another, they should have to face the consequences. I know our jails are crowded, but community service is really a slap on the wrist. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I'm in support. Just to clarify what the prior people are saying. If you look on Page 3, section 3, it actually talks about aggravated criminal property damage. So anybody that is a repeat offender will now be subject to this new proposed legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 451, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 817) recommending that H.B. No. 1159, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 818) recommending that H.B. No. 1246, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1246, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 818 with reservations. This establishes theft of copper as a felony offense. Again, there is no language for an appropriation and impact study on our prison facilities. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1246, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 819) recommending that H.B. No. 1253, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 820) recommending that H.B. No. 304, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 304, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I'd like to stand with strong reservations on Stand. Com. Rep. No. 820. The particular section that I'm standing with reservations on is, I believe, the fact that the person has to be already on the list that is to be submitted to the Governor to choose from. The replacement for a vacancy will be coming from the Party of that particular individual.

"I believe that we were trying to address a particular situation where a Representative was chosen after that Representative actually changed Party three days prior to her being selected. The bill addresses that. It requires that a particular candidate for this particular vacancy has to be a member of the Party for at least six months. But I think it goes way too far when we allow the Democratic Party to choose this, especially when the party cannot be neutral in cases where there's a Primary Election. If a Party cannot be neutral in a Primary Election, how can we allow them to choose a particular candidate? By this bill, we're actually having a Party establish their own ways or own rules in order to choose people for this particular list that will be submitted to the Governor.

"I think it's sufficient that we allow the Governor to choose from a final list a few of the individuals who are members of the Party and have been registered for six months. I think it will cure the problem that occurred on the selection of the prior Representative of Downtown. Thank you very much."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Finnegan, Marumoto, Meyer and Pine voting no, and with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 821) recommending that H.B. No. 747, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 822) recommending that H.B. No. 1210, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1210, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 823) recommending that H.B. No. 1234, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1234, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"I stand in opposition to this measure because of the effect it would have on our State court system. This measure seeks to enact the Federal Rules of Evidence 701, 702, and 703 and extend them to the State court system.

"The FRE sections were enacted as a way to guard against junk science being asserted as expert testimony in court hearings, and to ensure that those speaking as expert witnesses were recognized experts in the field that they were testifying on. The rationale behind these adoptions was that given that on the federal level one could call upon a wide variety of experts to testify as to evidence, and as such it was important that the courts ensure that these experts were recognized in their field and were speaking to published scientific theory that was in essence peer reviewed.

"However in Hawaii we have an established system whereby a party who wishes to challenge the credibility of an expert witness to speak to the evidence at hand can be addressed through an *ad litum* motion which then can be reviewed by a judge. But if we were to adopt the Daubert/Kumho Tire standard embodied in FRE 701, 702, 703, then we would open our State courts up to Daubert type hearings every time a party wishes to challenge the credibility of an expert witness or whether they can speak to a particular piece of testimony. The net effect, Mr. Speaker, is that this would clog our courts immensely and would lead to the use of the Daubert hearings every time an attorney wished to attack the credibility of an expert testimony.

"On the local level a judge can review the motion and make a determination, but if Daubert were to be adopted, then it would allow the attorney to argue their position in a closed hearing which gives them the opportunity to sway the opinion of a judge. I feel that if the wheel isn't broken, then why toy with it? To adopt Daubert locally would do nothing but clog up our courts and lead to a jam of the legal system that would make the traffic in West Maui and Kapolei look like a Sunday drive on the Autobahn."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. This is a move to federalize the State expert testimony area. I do believe that the State has their own way of determining the qualification of the expert through the *Masaki* decision from our Judge Chang. I do not agree that this is the right way to go."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1234, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TESTIMONY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 824) recommending that H.B. No. 1773, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 825) recommending that H.B. No. 676, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 676, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Standing Committee Report 825, with reservations. This establishes a felony offense of aggravated cruelty to pet animals. Again, this bill does not have appropriation language or an impact study on correctional facilities."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. On Stand. Com. Rep. No. 825, with reservations. I would first like to thank the Chairman of the Judicial Committee for removing 711-1109 (1) (c) from the new 711-A, the penalty section on page 2.

"I believe that this bill that is going forward, however, is still too broad. I think the purpose of this particular bill that is going forward is to try to connect the abuse of pet animals to the need for counseling, in which case, the inclusion of the existing 711-1109 broadens it so that any mutilation of any animal will subject a particular person not only to the existing punishment of one year in jail and so forth for a misdemeanor crime. It also now adds that if someone that mutilates any animal that is not a pet animal, it adds a section where they will be also subjected to counseling. I believe that the counseling requirement should be tied to where there is an incident where the animal itself is a pet. I can understand that a pet animal is something that one is emotionally tied to by that particular person. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with strong reservations and I would ask that the words of the Representative from Waipahu be entered in the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 826) recommending that H.B. No. 272, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 272, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 827) recommending that H.B. No. 1627, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 828) recommending that H.B. No. 91, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 91, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to H.B. 91, HD 1 relating to Public Accountancy. I believe that this bill would lower the standards of public accountancy. It will reduce the educational and experience requirement. Thank you."

Representative Evans rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Sonson rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 91, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Evans, Marumoto, Meyer and Sonson voting no, and with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 829) recommending that H.B. No. 419, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 419, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 830) recommending that H.B. No. 257, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 831) recommending that H.B. No. 1901, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 832) recommending that H.B. No. 1922, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1922, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 833) recommending that H.B. No. 1037, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Carroll, Nishimoto and Thielen being excused.

At 12:58 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:59 o'clock p.m.

ANNOUNCEMENTS

At this time, the Chair announced:

"Members of the House, at this point it is 1:00 in the afternoon. We have a 1:30 decision making meeting for the Judiciary Committee. At 2:00, decision making once more. A 2:00 with Consumer Protection and Judiciary. And, finally, at 3:30, a Committee hearing for the Finance Committee.

"Prior to calling a recess, and we will recess and reconvene at 7:00, the Chair would like to recognize those particular Chairs who would like to request a waiver of the 48-hour public hearing and decision making notices. So, at this point, the Chair recognizes Representative Waters."

Representative Waters for the Committee on Judiciary requested a waiver of the 48-hour advanced notice requirement to hear H.B. 1152, today at 1:30, with decision making to follow.

Representative Waters: "The reason why I'm asking for this, Mr. Speaker, is that the Attorney General's Office asked us to insert the bill that they drafted into H.B. 1152 which addresses a recent Supreme Court decision requiring a jury to make a determination where there's an enhanced sentence," and the Chair, "so ordered."

Representative M. Oshiro for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement to hear the following bills today after Agenda No. 2, and the Chair "so ordered."

Representative M. Oshiro:

"H.B. 1171. This will repeal the Sunset of laws authorizing State and county departments and agencies to provide government services through contracts with private entities.

"H.B. 1615, Relating to the Development of the Shellfish Aquaculture Industry. This will appropriate funds to conduct a feasibility and cost study to determine the statutory rule changes, staff requirements, training, and other needs to develop a shellfish aquaculture industry in Hawaii.

"H.B. 1811, Relating to the Nursing Program at the University of Hawaii Leeward Community College. This bill directs the Board of Regents to establish a nursing program at the community college and appropriates funds for training programs, and course offerings.

"H.B. 840, Relating to Renewable Energy Technologies. This bill expands the renewable energy technologies tax credit to include fuel cell systems.

"H.B. 226, Relating to Greenhouse Gas Emissions. This bill requires the Department of Health to adopt reporting and verification of statewide greenhouse emissions, and to monitor and enforce compliance. It also requires the adoption of statewide greenhouse gas emission levels that will be equivalent to statewide greenhouse gas levels in 1990 to be achieved by 2020. It further requires adoption of rules, a feasibility analysis on cost effective greenhouse gas emission reductions, and authorizes the adoption of market-based compliance mechanisms.

"H.B. 1757, Relating to Transportation. This bill would provide relief to the property motor vehicle carriers industry from penalties for certain violations for vehicle gross weight requirements.

"H.B. 895, Relating to Motor Vehicles. This bill allows the counties to increase registration fees. It also increases towing and storage fees for two companies. And it decreases the number of days required to notify the motor vehicle owner.

"H.B. 1096. This bill will assist low and moderate income homebuyers by providing a State income tax credit up to 20% of the annual mortgage interest paid per year

"H.B. 661, Relating to Campaign Spending. This bill creates a comprehensive public funding mechanism for elections to any county council. It establishes qualifications, limitations on funding and use of funds, reporting requirements, and amends Chapter 11, Part VII to reflect the changes."

Representative M. Oshiro for the Committee on Finance also requested a waiver of the 48-hour advanced notice requirement for the purpose of holding decision making on the following bills, and the Chair "so ordered."

Heard Saturday, February 24, Agenda No. 6
"H.B. 1323. This bill is related to captive insurance. It establishes a $200,000 maximum annual premium tax paid by captive insurance company licensed by the DCCA."

Heard Tuesday, February 26, Agenda No. 6
"H.B. 1755, Relating to General Excise Tax. This bill clarifies that the reduced general excise tax rate of 0.5 percent on business-to-business service applies to dealers furnishing goods or services to the purchaser of tangible personal property to secure a warranty obligation of the manufacturer of the property.

"H.B. 110, Relating to Housing. This bill appropriates funds for the University of Hawaii to develop student housing."

At 1:06 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:09 o'clock p.m.

Representative M. Oshiro for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement to hear H.B. 149, a tax credit for earthquake victims, today following Agenda No. 2, with decision making to follow, and the Chair "so ordered."

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Green introduced members of the Hawaii Medical Association and President, Dr. Linda Rasmussen.

Representative Chang introduced Mr. Gregg Takeyama, spokesman for the University of Hawaii, John A. Burns School of Medicine.

Representative Ward introduced Ms. Linda Smith of the Governor's Office.

ANNOUNCEMENT

Representative B. Oshiro: "Mr. Speaker, I would like to announce that the Majority Members will be having a Caucus today at 6:00 in the Majority Caucus Room."

At 1:11 o'clock p.m., the Chair declared a recess until 7:00 o'clock p.m.

The House of Representatives reconvened at 7:15 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Berg, Cabanilla, Carroll, Saiki, Souki, Takamine, Takumi, Thielen and Yamane were excused.)

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 834) recommending that H.B. No. 158, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 158, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 835) recommending that H.B. No. 318, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 836) recommending that H.B. No. 349, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 349, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 837) recommending that H.B. No. 964, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 838) recommending that H.B. No. 1258, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1258, entitled: "A BILL FOR AN ACT RELATING TO ACTIONS FOR FALSE CLAIMS TO THE STATE," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 839) recommending that H.B. No. 156, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 156, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of Stand. Com. Rep. No. 839, H.B. 156. Mr. Speaker, this is a bill whose idea and time has come. It's a bill whose data and evidence has come. For a lot of us who like to do some of our office work in the car, it's probably a time that we are going to have to be a little bit more safety conscious, because for the first time after considering it year after year for many years, we will ban the use of cell phones while driving. And as much as I would like to do it, I know it is dangerous and all of us have probably had some close incidents. It's just an idea whose time has come and I'm just in full support of it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 156, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOBILE PHONES WHILE DRIVING," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Cabanilla voting no, and with Representatives Carroll, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 840) recommending that H.B. No. 1640, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO PERMITS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 841) recommending that H.B. No. 1389, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 1389, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES IN LAND COURT," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 842) recommending that H.B. No. 1374, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 843) recommending that H.B. No. 1219, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1219, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF AGRICULTURE LOANS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 844) recommending that H.B. No. 20, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 20, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 845) recommending that H.B. No. 22, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 22, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION REPAIR AND MAINTENANCE ACCOUNTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 846) recommending that H.B. No. 36, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 36, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 847) recommending that H.B. No. 124, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 848) recommending that H.B. No. 1256, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 849) recommending that H.B. No. 855, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 855, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 849, relating to worker's compensation, I'm going to be voting no on this measure. Under the present law, when a worker is out on temporary disability and has had medical care, and when the physician says that they have finished all the treatment and that they're ready to go back to work, they go back to their employer. But if the worker feels that he really isn't ready, then he has to file a claim with the Director of the Department of Labor, and the medication or whatever treatment he's been having stops. This bill would make it so he can continue with his medical treatment.

"I feel that this will drive up the cost of medical workers' compensation insurance. It's not clear who would pay for this extra treatment if, after the Director of Labor looks at all the situations and doesn't find in favor of the employee, who will pay? If you had a physician make a determination that the person has had all the care and he's well enough to go back to work, I don't think that his regular medical coverage is going to cover it. So, my real concern is that there are a lot of gray areas and it could really drive up worker's compensation premiums."

Representative Marumoto rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Sonson rose in support of the measure, stating:

"Mr. Speaker, I rise in strong support of the measure and will submit my remarks."

Representative Meyer rose, stating:

"Mr. Speaker, are we going line by line?"

The Chair responded, stating:

"No, we are going page by page. That's why I cut off Representative Sonson."

Representative Meyer: "Well, I think that just puts everybody at a disadvantage."

Speaker Say: "Okay, then before we start, we should recognize Representative Sonson to speak in support of the measure."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. This is a very good bill we worked on with, along with the Director of Labor. Thank you very much for your input. Also the HEMIC President, Mr. Bob Dove, for his input on this.

"We put safeguards in this measure so although we're allowing the continued medical treatment for an injured worker, there are also safeguards where the hearing process will be hastened to within 30 days. If the reason for this particular person not returning to work is caused through fraud, that there is a way for the insurance company to get their money.

"The issue here is not that this person is ready to go to work. The issue comes out when there's two doctors with different opinions. The treating physician would say this patient is not ready to go to work, but the insurance doctor or the doctor hired by the insurance company says that, 'No, this person can work'. So, when there is a conflict or there is a disagreement between two doctors, this bill will take affect."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 855, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 850) recommending that H.B. No. 989, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 989, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd just like to vote aye with reservations on this. This looks like a bill and an idea that probably should be handled during collective bargaining. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 851) recommending that H.B. No. 1081, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1081, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm going to be voting no on this. In the interest of time, I don't think I'm going to get anybody here to join me regardless of my argument on this tonight, so I'm just going to submit my pink slip."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives

Ching, Marumoto and Meyer voting no, and with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 852) recommending that H.B. No. 1365, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1365, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 853) recommending that H.B. No. 1672, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 854) recommending that H.B. No. 1368, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1368, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 855) recommending that H.B. No. 10, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 10, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 856) recommending that H.B. No. 1007, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1007, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SELF-SUFFICIENCY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 857) recommending that H.B. No. 1044, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 858) recommending that H.B. No. 625, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 859) recommending that H.B. No. 920, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 860) recommending that H.B. No. 1063, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1063, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 861) recommending that H.B. No. 1065, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1065, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY AFFAIRS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 862) recommending that H.B. No. 1092, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1092, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd like to rise with short comments on Stand. Com. Rep. No. 862. In support with reservations. Just slight reservations. In Committee we were talking about this bill and some of the suggestions and common questions that we were talking about in regards to the back-up generators for the airports and commercial harbors, especially for the airports, was that we were trying to make a decision on what will be the best financial decision, whether to invest in leasing the generators or purchasing. This language only allows for the purchase. We were talking about leasing it because of the high cost of maintenance and those types of issues, so I would prefer a version that would have lease or purchase so that we can allow them to make the best financial decision. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1092, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 863) recommending that H.B. No. 1140, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 864) recommending that H.B. No. 1399, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1399, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 865) recommending that H.B. No. 1400, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 866) recommending that H.B. No. 1549, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1549, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 866, I have some reservations and short comments. Thank you, Mr. Speaker. After reviewing this bill, from a homerule person, I think this bill is very anti-homerule. It is very prescriptive. There is one part that I was reading from the HPD testimony that Section 2 of the bill, page 5, line 9, it says, 'including', and it specifies to buy this type of system which is a robotic total station survey system. And what they are saying is that throughout the country there are some better technologies since technology moves quite quickly. To state that you are going to have that specific type of system may be outdated by the time they actually purchase the equipment. So, just some suggestions on how we could do that a little bit better. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1549, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT INVESTIGATION," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 867) recommending that H.B. No. 334, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 334, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill would authorize the issuance of special purpose revenue bonds in a total amount not to exceed $10,000,000 for the purpose of assisting Sopogy Inc. with the planning, designing, construction, equipping, and operating Sopogy Inc.'s solar farm power plant at the Natural Energy Laboratory of Hawaii Authority or at other suitable sites in Hawaii.

"Sopogy Inc. is a renewable energy company based in Hawaii that was spun-off of Hawaii's own Energy Industries. Its purpose is to bring renewable solar energy technologies to Hawaii and its people for the betterment of clean air, independence from imported fossil fuels, and energy stability. This local company is helping in our goal to diversify our economy and make our state more energy efficient. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 868) recommending that H.B. No. 854, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 854, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Stand. Com. Rep. No. 868. This bill is dealing with workers' compensation temporary total disability benefits. I believe that this bill takes away an employer's discretion on whether an employee can return to work, and instead, hands that decision to the employee's treating physician, who may be biased in favor of the employee.

"Also the undefined phrase *'bona fide*' could cause contention as the employer could offer work and the employee could disregard that offer by falsely claiming it wasn't *bona fide*. Finally, this bill will prevent an employer from terminating temporary disability if they didn't have productive work available to offer to an employee due to a slowing economy. There are a lot of other reasons, but these are some of them and why I can't support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 854, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Meyer voting no, and with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 869) recommending that H.B. No. 1322, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.B. No. 1322, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 870) recommending that H.B. No. 1433, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1433, entitled: "A BILL FOR AN ACT RELATING TO MILITARY INSTALLATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

At 7:29 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 158	H.B. No. 1672
H.B. No. 318	H.B. No. 1368
H.B. No. 349	H.B. No. 10
H.B. No. 964, HD 1	H.B. No. 1007
H.B. No. 1258	H.B. No. 1044, HD 1
H.B. No. 156, HD 1	H.B. No. 625, HD 1
H.B. No. 1640	H.B. No. 920, HD 1
H.B. No. 1389	H.B. No. 1063
H.B. No. 1374	H.B. No. 1065, HD 1
H.B. No. 1219	H.B. No. 1092, HD 1
H.B. No. 20	H.B. No. 1140, HD 1
H.B. No. 22	H.B. No. 1399
H.B. No. 36, HD 1	H.B. No. 1400
H.B. No. 124, HD 1	H.B. No. 1549, HD 2
H.B. No. 1256, HD 1	H.B. No. 334, HD 1
H.B. No. 855, HD 1	H.B. No. 854, HD 1
H.B. No. 989	H.B. No. 1322
H.B. No. 1081	H.B. No. 1433
H.B. No. 1365	

THIRD READING

H.B. No. 718:

Representative Caldwell moved that H.B. No. 718, pass Third Reading, seconded by Representative B. Oshiro.

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. In the words of the Representative from South Maui, the days of fish prisons are over, and we need to look at Kakaako and not let what's happened there in the past happen again. I received testimony or comments from the Department of Land and Natural Resources and they say an important component to Kakaako's future is the opportunity for a lifelong aquatic research center and we can have a children's fishing boat to complement the Children's Discovery Center in Kakaako. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, on this measure, H.B. 718 Relating to Kakaako, I will have to vote no. I expressed myself on Second Reading as to the value of that property, the intent of the HCDA to plan a comprehensive development there, taking advantage of the position of the area. I just think that when we talk about real estate, they talk about highest and best use, and this is a very questionable, low revenue kind of use for a very, very valuable property."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Thank you, Mr. Speaker. Having been to the area, there is a small cove in Kewalo Basin and the area is not that big actually. The people that are going to be running this program are not getting paid. In fact, sometimes the best things in life do not cost money. It's hard to put an actual monetary figure on this. They will be allowing youth, the disabled and our *kupuna* to fish.

"This is a great, in fisherman's terms, this is a 'hot spot'. Again, it's a natural ecosystem. Bay fish come in there, they frolic and we have game fish over there. This place always has fish, *akuli*, *papio*, neo-fish. It's seasonal. Also the *kupuna*, disabled and the youth being taken on fishing excursions will also be taught education and Hawaiian culture.

"Again, you can't put a price tag on this. They do an excellent tag and release program that the Department of Land and Natural Resources Aquatics Division has endorsed wholeheartedly. They have tagged and released over 3,000 fish since the inception of this program back in 2004. They've caught an amazing 30% catch-back rate, and they've caught fish from Ka'u, Molokai, Maui, all over.

"So, again, this is priceless, what they are doing in terms of scientific knowledge, not only for our State, but for the people who actually do this. So, I stand in strong support and I would like to have the words of the speaker from Waikiki placed in the Journal as if they were my own. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"I stand in strong support and ask that the previous speakers' words in support be inserted as my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and H.B. No. 718, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Meyer voting no, and with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 135, HD 1:

Representative Caldwell moved that H.B. No. 135, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you very much. I rise in opposition. I'd like to go ahead and insert my previous comments made on Second Reading," and the Chair "so ordered." (By reference only.)

Representative Finnegan continued, stating:

"Thank you, Mr. Speaker. And then also just a couple more comments. What I've done was I went back to the testimony from the time that this was heard in Higher Education Committee. I must say that I have recognized the tremendous work that the Chair from the Higher Education Committee has done on this bill. One of the things that I think was not discussed or changed was something that was pointed out in the testimony from Richard Legon, President of the Association of Governing Boards of Universities and Colleges.

"I just want to read just a part of this that explains what this Association is. It's a national tax exempt, nonprofit organization based in Washington, D.C. AGB, which are their initials, directly serves 35,000 individuals, board members, presidents and senior executives and indirectly thousands of others in public and private

higher education. Founded in 1921 as a continuing education resource for trustees and boards, AGB seeks to strengthen the trusteeship and governance of public and independent colleges and universities and is contributor to effective working relationships between higher education and state government. For more than 20 years, AGB has advocated for much greater care in the nomination, selection and education of public college and universities, trustees and regents.

"When I heard this particular testimony, I thought of it as being a very credible source. They would talk about how the constitutional amendment was saying, 'Do we need this Advisory Council? ' And the people of Hawaii spoke and they wanted to see that.

"When I had spoken to my constituents and asked them. And at first I was thinking, you know this is the first time that we've had a Republican governor and I think it's an attack or just talking about things like that, political motivation. Many of the constituents that I spoke to said, 'Well, you know, we want to lessen the politics when it comes to the Board of Regents,' and I respect that. And now so, when I read this particular testimony, what they're saying is when you take, and I won't use 'special interest', although, we've used special interest in many ways, and a lot of the times it hasn't been negative special interest, and it hasn't always been negative.

"But what I will say is, in this particular testimony, it talks about constituency-based members. It says, we also believe that such independent screening committees operate best when enacted and sustained with bipartisan support and that their membership not consist of 'representatives of certain constituency groups.' It also says our reservation centers around the constituent-based nature of the proposed Advisory Council that appears in the bill.

"In addition to those voiced above, that your constituent-based Council may make it difficult for the Council to recruit and screen Regent candidates who possess a broad vision and qualities to lead Hawaii higher education and the challenges ahead.

"If you'll take a look at this testimony and just read it thoroughly, it basically says that what we're trying to do here is get away from the politics in the Board of Regents process. And there are other ways that you can do that. What has happened in the University of Hawaii testimony, it cites Minnesota as the area that has done this constituency-based advisory panel and it brought actually more politics to the table. So, as this bill moves forward, although I will vote no, I hope that we can see there's also a suggestion for a compromise on the make up of the Advisory Council and if we could take a look at that, as well."

Representative Chang rose to speak in support of the measure, stating:

"Mr. Speaker, in support. In the last election, the voters of Hawaii voted to amend the State Constitution to allow an Advisory Council to assist in naming the members of the University of Hawaii Board of Regents. The proposal was the subject of great debate. In the end, the voters voted, 'Yes'.

"The question remains: What would the Council look like? Your Committee on Higher Education, as well as the Senate Committee on Education, worked hard and long to come out with this very comprehensive bill that we see today. We provided the public and the Administration an opportunity to present concerns regarding a proposed Advisory Council. When the Administration did not submit written testimony at the hearing, we made sure to contact the Governor's point person on education for her input. Instead of commenting on H.B. 135, what we received were comments on H.B. 1431, the Governor's bill that would replace one hand-picked board for another.

"The public has called for real change, Mr. Speaker, in the rules of how the members of the Board of Regents are picked, and this bill sets the framework of a Council of outstanding individuals who share a commitment to rising above the partisan politics and to focus on elevating our State university system to greater heights. Thank you."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I stand in support of the bill, but actually my comments are more germane to what the Minority Leader just said. In the pursuit of historical accuracy, there have been Republican governors in the past, as well."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. First off, by way of reference, I would like to enter into the Journal my words on Second Reading. And also the words of the Chair of Education as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Takai continued, stating:

"Mr. Speaker, I just wanted to raise three points. By raising these three points, I reference, three parts of the bill, and I think these parts address the concerns raised by the Minority Leader. The first, on page 5. If you take a look at how the Candidate Advisory Board is composed or how the selection of the members are made, all you need to look at is line 9 and 10 on page 5 because it says, these members that are cited on this particular page, you as being the Speaker of the House, the Senate President, and so on. You're going to choose the representative. You're not going to be the representative.

"In addition, Mr. Speaker, if you look on the next page, the Co-Chairs of the All Campus Council of Faculty Senate Chairs, and the Chairperson of the Executive Council of the University of Hawaii Student Caucus. Those two selectors must select from a list, must select a person to represent that particular constituency who has within the last five years preceding this establishment or vacancy on the Candidate Advisory Council shall not be eligible to serve as members of the Advisory Council. In other words, Mr. Speaker, those two people selecting for those two spots on Advisory Council, must not have been members of those two particular organizations.

"And, finally, Mr. Speaker, on page 7, it says that appointees to the Candidate Advisory Council shall have a general understanding of the purpose of higher education, the mission of the University of Hawaii System and the responsibilities of the Board of Regents.

"I think that what we're doing here today far beats what we do or what we've been doing in the past. In fact, Mr. Speaker, I think if you take a look at this plan, this plan takes the politics out of the selection of the Board of Regents. I think this is far better than any other process that could be proposed because whose going to select the members of the Candidate Advisory Council. I believe that particular organization cited by the Minority Leader suggest that maybe the Governor should select the list of people to screen to give to her. I just think that this is a far better way to go to get the best and brightest on the Board of Education for the University of Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 135, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Ching, Finnegan and Meyer voting no, and with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 118:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 118, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed

Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 513:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 513, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 1207:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 1225:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1225, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 1287:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 122, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 259, HD 1:

Representative Caldwell moved that H.B. No. 259, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I'm rising to register a no vote on Stand. Com. Rep. No. 766, H.B. 259. This bill extends the authority of county boards to issue revenue bonds. I saw that when this bill was heard in Committee, the City Council Chair, Barbara Marshall, registered her opposition to it. This will allow the Board of Water Supply to issue bonds without oversight by the City Council, giving the Board of Water Supply almost absolute autonomy from the City. I think that the Board of Water Supply got into a little bit of hot water with the bill that we passed which gave them more autonomy and allowed them to pay very generous bonuses to some of their executive employees and that's what worries me about this one, so I'll be voting no."

The motion was put to vote by the Chair and carried, and H.B. No. 259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Carroll, Takamine and Thielen being excused.

H.B. No. 421, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takamine and Thielen being excused.

At 7:45 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 718	H.B. No. 1225
H.B. No. 135, HD 1	H.B. No. 1287
H.B. No. 118	H.B. No. 122, HD 1
H.B. No. 513	H.B. No. 259, HD 1
H.B. No. 1207	H.B. No. 421, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 28 and 29) and concurrent resolutions (H.C.R Nos. 47 through 51) were referred to Printing and further action was deferred:

H.R. No. 28, entitled: "HOUSE RESOLUTION OPPOSING A SPLIT OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," was jointly offered by Representatives B. Oshiro, Belatti, Caldwell, Luke, M. Oshiro, Waters, Har, Karamatsu, Saiki and Takamine.

H.R. No. 29, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF MEXICO AND THE SECOND DISTRICT COURT OF GUADALAJARA TO DROP EXTRADITION CHARGES AGAINST TV BOUNTY HUNTER, DUANE "DOG" CHAPMAN," was offered by Representative Ward.

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING A SPLIT OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," was jointly offered by Representatives B. Oshiro, Belatti, Caldwell, Luke, M. Oshiro, Har, Karamatsu and Saiki.

H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON PROVIDING CHILD CARE SERVICES TO CHILDREN OF STATE EMPLOYEES," was jointly offered by Representatives Sonson, Finnegan, Bertram, Brower, Hanohano, Karamatsu, Shimabukuro and Souki.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO REVIEW AND REPORT ON THE CREATION OF AN ADMINISTRATOR AND ADMINISTRATIVE ASSISTANT POSITION FOR THE STATE FIRE COUNCIL," was jointly offered by Representatives Sonson, Finnegan, Bertram, Brower, Hanohano, Karamatsu, Shimabukuro and Souki.

H.C.R. No. 50, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF MEXICO AND THE SECOND DISTRICT COURT OF GUADALAJARA TO DROP EXTRADITION CHARGES AGAINST TV BOUNTY HUNTER, DUANE "DOG" CHAPMAN," was jointly offered by Representatives Ward, Awana, Cabanilla, Finnegan, Marumoto, Meyer, Pine, Bertram, Carroll, Ito, Lee and Mizuno.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY," was offered by Representative Shimabukuro, by request.

ANNOUNCEMENT

Representative Ward: "I have a birthday announcement. March 1, 1961. Forty-six years ago, John Kennedy said, 'Ask not what your Country can do for you, but what you can do for your Country.' Forty-six years ago, the Peace Corps was born. Some members in this body, former Representative Jim Shon and myself, answered the call, and today is proclaimed Peace Corps week, February 26 to March 4.

"And so I not only announce that if any of you were considering after retirement, or in your families or with your friends, the Peace Corps is a great option to continue to serve the community, continue to give. Mr. Speaker, the experience has been, everything you give you get back multiple fold. I should also say, Mr. Speaker, they are looking for country directors. Speakers would make very good country directors and they are in need of them, just in case you have any thoughts of that. Happy birthday, 46 years, to the Peace Corps."

ADJOURNMENT

At 7:46 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 2, 2007. (Representatives Carroll, Takamine and Thielen were excused.)

TWENTY-FIFTH DAY

Friday, March 2, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Clifton Yasutomi of Grace Bible Church, after which the Roll was called showing all members present with the exception of Representatives Bertram, Ching, M. Oshiro, Takamine, Takumi and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Fourth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 283) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 283, dated January 19, 2007, transmitting the Incentive And Innovation Grant Trust Fund report prepared by the Department of Education.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 37 through 45) were received and announced by the Clerk:

Sen. Com. No. 37, transmitting S.B. No. 523, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 38, transmitting S.B. No. 994, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 39, transmitting S.B. No. 1035, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHIKI DAY COMMEMORATION," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 40, transmitting S.B. No. 1047, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 41, transmitting S.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 42, transmitting S.B. No. 1287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 43, transmitting S.B. No. 1444, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 44, transmitting S.B. No. 1509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," which passed Third Reading in the Senate on March 1, 2007.

Sen. Com. No. 45, transmitting S.B. No. 1709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," which passed Third Reading in the Senate on March 1, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Bertram, M. Oshiro, Takamine, Takumi, Thielen and Waters were excused.)

S.B. No. 523, S.D. 2
S.B. No. 994, S.D. 1
S.B. No. 1035, S.D. 1
S.B. No. 1047
S.B. No. 1237, S.D. 1
S.B. No. 1287, S.D. 1
S.B. No. 1444, S.D. 1
S.B. No. 1509, S.D. 1
S.B. No. 1709, S.D. 1

INTRODUCTION

The following introduction was made to the members of the House:

Representative Ito, on behalf of the Windward delegation, Representatives Chong, Magaoay, Waters and himself, introduced students from Windward Community College, Sunni West, Theresa Worden, Kimberly Moa, Mark Brislin, Danielle Borromeo, Alicia Kalahiki, Greer Guiterrez and Ignacio Fleishour. They were accompanied by Librarian Nancy Hue and Professor Libby Young.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
28	Committee on Judiciary
29	Committee on International Affairs, then to the Committee on Judiciary

H.C.R. Nos.	Referred to:
47	Committee on Judiciary
48	Committee on Labor & Public Employment, then to the Committee on Finance
49	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
50	Committee on International Affairs, then to the Committee on Judiciary

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members of the House, please note that the H.B. No. 1358, HD 1 has been re-referred solely to the Committee on Human Services and Housing per Committee Referral Sheet No. 27 that was placed on your desk yesterday. The Committee on Public Safety and Military Affairs waived its referral on this measure and therefore it is appropriate for the House to consider action for passage on Third Reading on this particular matter."

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on H.B. No. 1358, HD 1. (Representatives M. Oshiro, Takamine, Takumi, Thielen and Waters were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 407, recommending referral to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro and carried. (Representatives M. Oshiro, Takamine, Takumi, Thielen and Waters were excused.)

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives M. Oshiro, Takamine, Takumi, Thielen and Waters were excused.)

H.B. 1358, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY," passed Third Reading with Representatives M. Oshiro, Takamine, Takumi, Thielen and Waters being excused.

At 12:12 o'clock p.m., the Chair noted that H.B. No. 1358, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 871) recommending that H.B. No. 1307, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 871 on H.B. No. 1307, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1307, HD 2, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 872) recommending that H.B. No. 1628, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 872 on H.B. No. 1628, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1628, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 873) recommending that H.B. No. 356, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 873 on H.B. No. 356, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 356, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 874) recommending that H.B. No. 362, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 874 on H.B. No. 362, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 362, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 875) recommending that H.B. No. 714, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 875 on H.B. No. 714, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 714, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 876) recommending that H.B. No. 1406, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 876 on H.B. No. 1406, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1406, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 877) recommending that H.B. No. 1306, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 877 on H.B. No. 1306, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1306, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 878) recommending that H.B. No. 1311, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 878 on H.B. No. 1311, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1311, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 879) recommending that H.B. No. 1721, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 879 on H.B. No. 1721, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1721, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 880) recommending that H.B. No. 1864, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 880 on H.B. No. 1864, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1864, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 881) recommending that H.B. No. 154, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 881 on H.B. No. 154, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 154, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 882) recommending that H.B. No. 160, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 882 on H.B. No. 160, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 160, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 883) recommending that H.B. No. 248, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 883 on H.B. No. 248, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 248, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 884) recommending that H.B. No. 894, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 884 on H.B. No. 894, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 894, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 885) recommending that H.B. No. 1057, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 885 on H.B. No. 1057, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1057, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 886) recommending that H.B. No. 1058, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 886 on H.B. No. 1058, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1058, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 887) recommending that H.B. No. 136, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 887 on H.B. No. 136, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 136, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 888) recommending that H.B. No. 428, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 888 on H.B. No. 428, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 428, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 889) recommending that H.B. No. 767, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 889 on H.B. No. 767, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 767, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 890) recommending that H.B. No. 777, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 890 on H.B. No. 777, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 777, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 891) recommending that H.B. No. 1014, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 891 on H.B. No. 1014, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1014, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 892) recommending that H.B. No. 1528, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 892 on H.B. No. 1528, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1528, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 893) recommending that H.B. No. 1530, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 893 on H.B. No. 1530, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1530, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 894) recommending that H.B. No. 1531, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 894 on H.B. No. 1531, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1531, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 895) recommending that H.B. No. 104, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 895 on H.B. No. 104, HD 2 was deferred and in accordance with Article

III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 104, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 896) recommending that H.B. No. 150, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 896 on H.B. No. 150, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 150, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 897) recommending that H.B. No. 453, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 897 on H.B. No. 453, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 453, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 898) recommending that H.B. No. 906, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 898 on H.B. No. 906, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 906, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 899) recommending that H.B. No. 928, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 899 on H.B. No. 928, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 928, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 900) recommending that H.B. No. 1002, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 900 on H.B. No. 1002, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1002, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 901) recommending that H.B. No. 1076, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 901 on H.B. No. 1076, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1076, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 902) recommending that H.B. No. 1095, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 902 on H.B. No. 1095, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1095, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 903) recommending that H.B. No. 1283, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 903 on H.B. No. 1283, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1283, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 904) recommending that H.B. No. 1356, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 904 on H.B. No. 1356, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1356, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 905) recommending that H.B. No. 1361, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 905 on H.B. No. 1361, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1361, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 906) recommending that H.B. No. 1364, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 906 on H.B. No. 1364, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1364, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 907) recommending that H.B. No. 1844, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 907 on H.B. No. 1844, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1844, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 908) recommending that H.B. No. 435, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 908 on H.B. No. 435, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 435, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 909) recommending that H.B. No. 528, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 909 on H.B. No. 528, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 528, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 910) recommending that H.B. No. 624, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 910 on H.B. No. 624, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 624, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 911) recommending that H.B. No. 1215, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 911 on H.B. No. 1215, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1215, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 912) recommending that H.B. No. 1260, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 912 on H.B. No. 1260, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1260, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 913) recommending that H.B. No. 1328, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 913 on H.B. No. 1328, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1328, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 914) recommending that H.B. No. 1548, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 914 on H.B. No. 1548, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1548, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 915) recommending that H.B. No. 692, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 915 on H.B. No. 692, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 692, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 916) recommending that H.B. No. 1004, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 916 on H.B. No. 1004, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1004, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 917) recommending that H.B. No. 1005, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 917 on H.B. No. 1005, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1005, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 918) recommending that H.B. No. 1006, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 918 on H.B. No. 1006, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1006, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 919) recommending that H.B. No. 1334, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 919 on H.B. No. 1334, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1334, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 920) recommending that H.B. No. 1338, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 920 on H.B. No. 1338, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1338, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 921) recommending that H.B. No. 592, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 921 on H.B. No. 592, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 592, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 922) recommending that H.B. No. 595, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 922 on H.B. No. 595, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 595, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 923) recommending that H.B. No. 55, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 923 on H.B. No. 55, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 55, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 924) recommending that H.B. No. 367, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 924 on H.B. No. 367, HD 1 was deferred and in accordance with Article

III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 367, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 925) recommending that H.B. No. 853, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 925 on H.B. No. 853, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 853, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 926) recommending that H.B. No. 861, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 926 on H.B. No. 861, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 861, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 927) recommending that H.B. No. 863, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 927 on H.B. No. 863, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 863, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 928) recommending that H.B. No. 1292, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 928 on H.B. No. 1292, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1292, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 929) recommending that H.B. No. 831, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 929 on H.B. No. 831, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 831, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 930) recommending that H.B. No. 457, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 930 on H.B. No. 457, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 457, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 931) recommending that H.B. No. 1402, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 931 on H.B. No. 1402, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1402, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 1403, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 932 on H.B. No. 1403, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1403, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 1440, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 933 on H.B. No. 1440, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1440, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 934) recommending that H.B. No. 750, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 934 on H.B. No. 750, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 750, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 935) recommending that H.B. No. 155, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 935 on H.B. No. 155, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 155, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 936) recommending that H.B. No. 277, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 936 on H.B. No. 277, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 277, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 937) recommending that H.B. No. 351, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 937 on H.B. No. 351, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 351, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 938) recommending that H.B. No. 357, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 938 on H.B. No. 357, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 357, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 939) recommending that H.B. No. 497, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 939 on H.B. No. 497, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 497, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 940) recommending that H.B. No. 657, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 940 on H.B. No. 657, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 657, HD 1, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 941) recommending that H.B. No. 937, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 941 on H.B. No. 937, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 937, HD 2, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 942) recommending that H.B. No. 936, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 942 on H.B. No. 936, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 936, HD 2, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 943) recommending that H.B. No. 1646, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 943 on H.B. No. 1646, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1646, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 944) recommending that H.B. No. 162, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 945) recommending that H.B. No. 310, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 310, HD 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"I'm rising with some reservations on Stand. Com. Rep. No. 945, which sets up a task force to look at whether the State should have its own Internet system. I just feel that there are so many Internet providers. I wonder at the reasonableness of us having our own private Internet. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 310, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 946) recommending that H.B. No. 501, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME REFUNDABLE TAX CREDIT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 947) recommending that H.B. No. 502, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 948) recommending that H.B. No. 707, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 949) recommending that H.B. No. 881, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 881, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COST OF LIVING ADJUSTMENTS TO INCOME TAX RATES AND STANDARD DEDUCTION AND PERSONAL EXEMPTION AMOUNTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 950) recommending that H.B. No. 1226, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1226, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 951) recommending that H.B. No. 1227, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1227, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 952) recommending that H.B. No. 1411, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1411, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 953) recommending that H.B. No. 1799, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1799, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support on Stand. Com. Rep. No. 953 and H.B. No. 1799, HD 1. The Earned Income Tax Credit is an opportunity for us to provide targeted tax relief to our working families and I urge all Members to vote with strong support. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have some reservations on this particular measure. There has been, in the past, quite a little bit of fraud by people that file for these Earned Income Tax Credits at the federal level. I'm a little worried about this being tied to the federal program where it gets out of control. If we're always just hiking it up along with the federal program, things are on auto-pilot and we don't have control over it. Also, the Earned Income Tax Credit is for people with children. And while I know that there are so many people here in Hawaii that need tax relief, this just doesn't hit as many as an increased tax deduction would. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1799, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 954) recommending that H.B. No. 1943, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1943, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 954, Making an Emergency Appropriation for the Beverage Container Program, I am with reservations. I'm not sure that this title is appropriate. The Department of Health has so much money over there in that Fund. And I thought, why would they need an emergency appropriation? In fact it is not an emergency appropriation. They are really asking for the ceiling that they have in there to be raised. So I'm a little perplexed at the title and I felt much better to see that we were not going to give them an infusion of general funds in a Fund that's already pretty well padded."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1943, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 955) recommending that H.B. No. 1658, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1658, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, could you note my reservations for Stand. Com. Rep. No. 955 and I'll save my comments for Third Reading. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1658, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ANTARA MEDICAL TRUST FUND," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 956) recommending that H.B. No. 1756, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1756, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Aloha, Mr. Speaker. Mr. Speaker, I rise in support of this measure. The purpose of this bill, Mr. Speaker, is to help nonprofit organizations secure grant funds and perform capital improvements for programs that provide substantial community benefits by providing an exemption to nonprofit corporations from the 15-year limit on the grant of county concessions or concession space.

"This bill is borne out of the fact that many non-profits who are doing the work of government for the people of Maui invest a lot of money and time into the buildings they are leasing not only benefit of the people themselves, but also for the government as well. This is because the government – which are the owners of these buildings – will also be the beneficiaries of these efforts, since the non-profit is taking care of the money and manpower to do these projects so that the counties and, by extension the taxpayers, don't have to come up with the funds to do these types of repairs and improvements.

"It is fundamentally unfair to expect a non-profit, which by the name itself shows they are making no money beyond their expenses, to put all of their valuable resources into the repair and improvement of these buildings to do all of this work and then all of sudden be displaced because of an arbitrary time limit in the law.

"This bill, Mr. Speaker, would also have a secondary, but equally important benefit to the people of Hawaii. Many of the structures that are leased to these non-profits by the county are important historical structures that have a special place in history to the people of our islands. In fact, the genesis of this bill came from a situation where a non-profit in Maui has been leasing the historic Iao Theater in Wailuku and has been making improvements to this historically significant building only to be faced with eviction because of the current law. Because of their fine efforts this significant structure has been saved from being dilapidated and now stands in its former glory and can be used and enjoyed by people today and appreciated by people now and tomorrow. With the Heritage Day coming upon us, I can think of no other finer way to show that we are indeed serious about historic preservation and celebrating our past then to move this bill forward so that the important work being done to save and restore these buildings can continue."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1756, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 957) recommending that H.B. No. 1434, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1434, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 958) recommending that H.B. No. 238, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 238, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Brower rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with strong reservations on that same issue and will reserve my comments for Third Reading."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 238, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF REAL PROPERTY," passed Second Reading and was placed on the calendar for Third Reading with Representative Brower voting no, and with Representatives Takamine, Takumi and Thielen being excused.

Representatives Waters and Magaoay, for the Committee on Judiciary and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 959) recommending that H.B. No. 1909, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 1909, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"I rise to speak in favor of Stand. Com. Rep. No. 959, which has to do with the Legislative Ethics Committee. The name of the bill is Relating to Standards of Conduct. I want to thank the Chairman for putting in the Committee Report that the bill will eventually reflect a balanced membership, because the first draft that we had seen, there were two Majority members, and one Minority member. I would assume that balanced means an equal number of Minority and Majority members, however many that would be.

"Also, I think if my colleague were here, Representative Thielen, she would ask that a ban on fundraisers be added to this bill. But otherwise, I think it's a good start."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On this measure, please note my reservations and I will give my comments on Third Reading."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Chair. I rise with reservations on this measure. Mr. Chair, I think with the other bill that we may or may not hear regarding ethics, this particular naming of a Standard of Conduct Committee, I think is cumbersome in its name. Why don't we just name it the Ethics Committee? I think that's one thing I have reservations about.

"The other thing is that, in all due respect, Mr. Speaker, it puts you and the President of the Senate as the great arbiters of which you can put any of us into the State Ethics Commission according to your particular decision. And notwithstanding what my colleague from East Honolulu said, until I see it in writing that we have equal bipartisan representation, this bill is flawed by virtue of its lack of balance in terms of membership.

"So those are some concerns. I think we're edging up on 1909, which had a head start. At least it had a hearing. It had some possible corrections by membership, and by virtue of the US Senate and the US House have an equal membership, and having those as not under the charge of either the President or the Speaker of the House. It's a more egalitarian way of which ethics should be above political party. It should be above politics. I think we're in the right

direction. We just need to refine it. And that's the reason for my reservations. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this bill. Just to briefly counter some of the prior characterizations. I think this really is a monumental step forward. Just to put some perspective on this. People don't realize that Hawaii is actually one of the top-rated states when it comes to an ethics law. We have an independent Ethics Commission that handles potential ethics violations. They're completely separate and they do their own work, investigations and findings.

"What this does is set up an alternative procedure for things that may not fall under Ethics Commission violations. And that's why it is a different name. It's called a Standards of Conduct Committee. And so I really support naming it something else, because what we don't want to do is create a dual jurisdiction or confusion, especially for people out there in the public. What we want people to be assured of, is that we will have an internal structure that will deal with standards of conduct and potential violations. That's why I'm in strong support of this.

"One of the other criticisms I think, has to do with the membership or make up of the Committee and I think that's a premature discussion at this point. It's left blank. It's something that we continue to look at. Like every other Committee that we have in this body, it's made up proportionally based off of the Majority and Minority membership. So the question is, what makes this one any different when it's going to be looking at substantive issues? Whether it should be based off of pure partisanship, saying that every issue has a partisan take to it, or taint to it, and that's why we need a partisan membership. Or whether we can rise above it and be as we are in this august body and decide to deal with things on their merits. If we can do that, then I don't think we need to be apportioning things based off of partisanship. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker. Just a brief retort to that. If history's any guide, we know that the State Ethics Commission has always been there. We always go to them. So to have the referral of this Committee as the first instinct to go to them is repeating history. Because if you look at the history of conflict of interest, which hopefully this bill will have something to do with, 99.99999 percent of the time, there's no conflict. So if we're going to get to the matter of the issue, we've got to police ourselves. The State Ethics Commission has not been able to do that. And if we're going to police ourselves, we have to be serious about it and we have to get into these issues by looking at ourselves on an equal basis, not on a partisan basis."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 960) recommending that H.B. No. 110, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 110, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 961) recommending that H.B. No. 1152, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 962) recommending that H.B. No. 840, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 840, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Morita rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 962, H.B. 840, HD 1, I have some reservations on this bill and I just would like to explain my position to the Members. As Chair of your Committee on Energy and Environmental Protection, the tax credit measures that I pass out usually have undergone scrutiny through a cost-benefit analysis. On this specific bill, we haven't looked at its cost-benefit analysis. My basic position at this time is that anybody that can afford a fuel cell, which is very expensive, doesn't need a tax credit. So it's very hard to support a measure like this. But I will go with reservations and I'm open to further discussion on this measure."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with some strong reservations on that same measure. There was testimony in the Finance Committee that in trying to get the hydrogen out of water, a great deal of energy is used to get it. So it's not in the same league with solar and wind. Thank you."

Representative Belatti: rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. I voted with reservations in the Finance Committee in part because I was concerned that this did not get the vetting of the Committee on Energy and Environmental Protection. And I know that this House is struggling to create a comprehensive package that will address many of the issues that we're facing as a State regarding energy. Just reservations, Mr. Speaker."

Representative Evans rose in support of the measure with reservations, and asked that the remarks of Representative Morita be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 840, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 963) recommending that H.B. No. 1171, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Takamine, Takumi and Thielen being excused.

At 12:27 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

THIRD READING

H.B. No. 1157:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1158:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO ARSON," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 660:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 660, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 345:

Representative Caldwell moved that H.B. No. 345, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. I entered politics with hopes to make our State, nation, and world more peaceful. I believe we must all play a role in promoting peace. Too often, the cycle of violence is fueled through anger and revenge. Every generation has witnessed violence domestically and abroad. As a representative of Generation X, I am determined to continue striving for peace throughout the world just as the leaders before me.

"I was pleased when I learned that the Hawaii Federation of Junior Young Buddhist Association was working on a peace resolution. After talking to their advisor, I decided to introduce a peace day bill on their behalf. I was touched to know that young leaders in the next generation, Generation Y had the same dream of attaining a more peaceful world.

"House Bill 345 would establish September 21st of each year as "Peace Day" to promote peace programs, improve international relations, and increase educational awareness of peace. If we all work towards this goal of a more peaceful world, we will see priceless results and touch many lives. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1264:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1264, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

The Chair then stated:

"Any discussion on the following vehicles for collective bargaining? These are all blank amounts that will be going over to the Senate as vehicles for appropriations for collective bargaining."

H.B. No. 1563:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1563, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1564:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1564, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1566:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1566, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1567:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1567, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1568:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1568, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1569:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1569, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third

Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1570:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1572:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1572, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1573:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1573, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1336:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1612:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1612, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 613:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 613, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1034:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1034, entitled: "A BILL FOR AN ACT RELATING TO TAXES," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1103:

Representative Caldwell moved that H.B. No. 1103, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise in support of this legislation which officially recognizes the Asian or Lunar New Year.

"This is very similar to HB 941, which I submitted, officially recognizing the Asian New Year, calling for an observance, but not a holiday.

"The Asian New Year, known in China as the Spring Festival, or the Lunar New Year, is the most important of the traditional Eastern holidays. The festival proper begins on the first day of the first lunar month in the Chinese calendar and ends on the15th day, on the Lantern Festival. The beginnings of the Chinese calendar date back thousands of years.

"The New Year falls on different dates each year, between January 21 and February 20, occurring at the time of the full moon. The New Year is celebrated worldwide in areas with large populations of Asians. It is considered a major holiday in Asia by ethnic groups strongly influenced by Chinese culture such as Koreans, Hmong, Mongolians, Vietnamese, Tibetans, the Nepalese and the Bhutanese. The New Year is also the time of the largest human migration, when overseas Chinese all around the world travel home to observe the occasion with their families.

"According to legend, in ancient China, the *nian*, a man-eating beast from the mountains, could silently infiltrate houses to prey on humans. The people believed that the *nian* was sensitive to loud noises and the color red, so they scared it away with explosions, fireworks and the liberal use of the color red. These customs led to the first New Year's celebrations.

"I believe that the desire is strong among Hawaii's population for recognition of the Lunar New Year. Among those supporting this recognition are Dr. Chuck Yim Gee, Dean Emeritus of the School of Travel Industry Management at the University, Lily and Larry Chang of the Chinese Community Broadcasting Co., Karl Kao of the World Journal Newspaper, Joseph Chow of the Sing Tao Newspaper, Johnson Choi, President of the Hong Kong-China-Hawaii Chamber of Commerce, and many others too numerous to mention.

"Because of the prominence of Hawaii's Chinese population and the emphasis on promoting tourism from China, several other legislators also introduced bills to establish a Chinese Lunar New Year Day or Week observance. These are: Senate Bill No. 247 establishing the Asian Lunar New Year Commemoration Week, House Bill No. 941, recognizing the Asian Lunar New Year Day, and House Bill No. 1103, a companion measure to SB 247, establishing the Asian Lunar New Year Commemoration Week.

"I am gratified that this bill will accomplish that goal, and I give it my full support."

The motion was put to vote by the Chair and carried, and H.B. No. 1103, entitled: "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

H.B. No. 1153:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1153, entitled: "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES," passed Third Reading by a vote of 48 ayes, with Representatives Takamine, Takumi and Thielen being excused.

At 12:30 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1157	H.B. No. 1569
H.B. No. 1158	H.B. No. 1570
H.B. No. 660	H.B. No. 1572
H.B. No. 345	H.B. No. 1573
H.B. No. 1264	H.B. No. 1336
H.B. No. 1563	H.B. No. 1612
H.B. No. 1564	H.B. No. 613
H.B. No. 1566	H.B. No. 1034
H.B. No. 1567	H.B. No. 1103
H.B. No. 1568	H.B. No. 1153

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 32 and 33) and concurrent resolutions (H.C.R Nos. 52 and 53) were referred to Printing and further action was deferred:

H.R. No. 32, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH COUNTY GOVERNMENTS, TO DEVELOP A PLAN FOR THE REGULAR MAINTENANCE OF ROADS IN LIMBO," was jointly offered by Representatives Hanohano, Herkes, Mizuno, Tokioka, Belatti, Bertram and Brower.

H.R. No. 33, entitled: "HOUSE RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," was jointly offered by Representatives Green, Awana, Bertram, Mizuno, Takai and Rhoads.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COOPERATION WITH COUNTY GOVERNMENTS, TO DEVELOP A PLAN FOR THE REGULAR MAINTENANCE OF ROADS IN LIMBO," was jointly offered by Representatives Hanohano, Chang, Har, Herkes, Mizuno, Tokioka, Belatti, Bertram and Brower.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," was jointly offered by Representatives Green, Awana, Bertram, Mizuno, Takai and Rhoads.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Karamatsu introduced Ms. Stacey Hayashi and 442nd veteran, Mr. Eddie Yamasaki.

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day for the purpose of receiving Standing Committee Reports and House bills transmitted thereby, seconded by Representative Meyer and carried. (Representatives Takamine, Takumi and Thielen were excused.)

At 12:31 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, March 6, 2007. (Representatives Takamine, Takumi and Thielen were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 964 through 1201), were received by the Clerk prior to 12:00 midnight this legislative day, and the following action was taken:

Stand. Com. Rep. No. 964 (CPC) and H.B. No. 1339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 965 (CPC) and H.B. No. 1577, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED COFFEE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 966 (CPC) and H.B. No. 1479, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESSES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 967 (CPC) and H.B. No. 1641, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 968 (CPC/JUD) and H.B. No. 469, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 969 (JUD) and H.B. No. 1750, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 970 (WLH) and H.B. No. 1950, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 971 (FIN) and H.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 972 (FIN) and H.B. No. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 973 (FIN) and H.B. No. 1290, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 974 (FIN) and H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 975 (FIN) and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 976 (FIN) and H.B. No. 14, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 977 (FIN) and H.B. No. 15, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 978 (FIN) and H.B. No. 17, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 979 (FIN) and H.B. No. 19, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 980 (FIN) and H.B. No. 23, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 981 (FIN) and H.B. No. 564, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 982 (FIN) and H.B. No. 598, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 983 (FIN) and H.B. No. 1630, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 984 (FIN) and H.B. No. 473, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 985 (FIN) and H.B. No. 30, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 986 (FIN) and H.B. No. 1547, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 987 (FIN) and H.B. No. 1379, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 988 (FIN) and H.B. No. 1493, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 989 (FIN) and H.B. No. 1818, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 990 (FIN) and H.B. No. 806, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 991 (FIN) and H.B. No. 1718, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CRUISELINE INDUSTRY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 992 (FIN) and H.B. No. 1072, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 993 (CPC) and H.B. No. 1121, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES FOR AGRICULTURAL USES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 994 (CPC) and H.B. No. 71, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 995 (CPC) and H.B. No. 791, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 996 (CPC) and H.B. No. 1456, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 997 (FIN) and H.B. No. 249, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING TOURISM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 998 (FIN) and H.B. No. 250, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 999 (FIN) and H.B. No. 832, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1000 (FIN) and H.B. No. 844, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF REAL PROPERTY IN WAHIAWA, OAHU," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1001 (FIN) and H.B. No. 1028, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WALKING TRAILS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1002 (FIN) and H.B. No. 1442, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1003 (FIN) and H.B. No. 1516, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1004 (FIN) and H.B. No. 1590, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING

TO EMINENT DOMAIN," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1005 (FIN) and H.B. No. 1667, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR THE PURCHASE OF LAND TO DEVELOP KALAELOA COMMUNITY DEVELOPMENT DISTRICT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1006 (FIN) and H.B. No. 1831, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GAME MANAGEMENT AREAS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1007 (FIN) and H.B. No. 399, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1008 (FIN) and H.B. No. 400, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1009 (FIN) and H.B. No. 401, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1010 (FIN) and H.B. No. 404, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1011 (FIN) and H.B. No. 772, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1012 (FIN) and H.B. No. 1114, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1013 (FIN) and H.B. No. 1179, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COUNTY OF HAWAI'I FOR COQUI FROG ERADICATION AND CONTROL," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1014 (FIN) and H.B. No. 1221, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1015 (FIN) and H.B. No. 1639, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1016 (FIN) and H.B. No. 1924, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ERADICATION AND CONTROL OF THE COQUI FROG," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1017 (FIN) and H.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1018 (FIN) and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF A HAWAII ARCHEOLOGICAL SURVEY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1019 (FIN) and H.B. No. 252, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAXES FOR SPECULATIVE SALES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1020 (FIN) and H.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1021 (FIN) and H.B. No. 507, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1022 (FIN) and H.B. No. 1201, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1023 (FIN) and H.B. No. 208, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1024 (FIN) and H.B. No. 211, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1025 (FIN) and H.B. No. 212, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1026 (FIN) and H.B. No. 807, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1027 (FIN) and H.B. No. 817, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAGE PLUS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1028 (FIN) and H.B. No. 825, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1029 (FIN) and H.B. No. 843, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1030 (FIN) and H.B. No. 1008, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1031 (FIN) and H.B. No. 1370, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1032 (FIN) and H.B. No. 1372, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1033 (FIN) and H.B. No. 1378, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1034 (FIN) and H.B. No. 1495, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PALLIATIVE CARE RESOURCES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1035 (FIN) and H.B. No. 1764, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1036 (FIN) and H.B. No. 194, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1037 (FIN) and H.B. No. 429, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1038 (FIN) and H.B. No. 581, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1039 (FIN) and H.B. No. 627, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1040 (FIN) and H.B. No. 1529, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1041 (FIN) and H.B. No. 506, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1042 (FIN) and H.B. No. 646, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1043 (FIN) and H.B. No. 870, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1044 (FIN) and H.B. No. 871, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1045 (FIN) and H.B. No. 1003, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1046 (FIN) and H.B. No. 1289, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1047 (FIN) and H.B. No. 1278, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1048 (FIN) and H.B. No. 1452, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1049 (FIN) and H.B. No. 966, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1050 (FIN) and H.B. No. 639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1051 (FIN) and H.B. No. 1787, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1052 (FIN) and H.B. No. 1912, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIODIESEL PROJECTS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1053 (FIN) and H.B. No. 487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1054 (FIN) and H.B. No. 320, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1055 (FIN) and H.B. No. 325, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1056 (FIN) and H.B. No. 426, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1057 (FIN) and H.B. No. 456, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1058 (FIN) and H.B. No. 667, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1059 (FIN) and H.B. No. 835, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1060 (FIN) and H.B. No. 1907, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1061 (FIN) and H.B. No. 90, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1062 (FIN) and H.B. No. 92, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1063 (FIN) and H.B. No. 93, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1064 (FIN) and H.B. No. 116, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1065 (FIN) and H.B. No. 273, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1066 (FIN) and H.B. No. 1941, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLING INVASIVE SPECIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1067 (FIN) and H.B. No. 1948, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1068 (FIN) and H.B. No. 13, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1069 (FIN) and H.B. No. 24, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1070 (JUD) and H.B. No. 375, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1071 (JUD) and H.B. No. 659, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TARO," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1072 (JUD) and H.B. No. 670, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1073 (JUD) and H.B. No. 931, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1074 (JUD) and H.B. No. 1155, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1075 (JUD) and H.B. No. 1503, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1076 (JUD) and H.B. No. 1518, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1077 (JUD) and H.B. No. 1609, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1078 (JUD) and H.B. No. 1608, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1079 (JUD) and H.B. No. 1814, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1080 (FIN) and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1081 (FIN) and H.B. No. 963, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1082 (FIN) and H.B. No. 1902, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1083 (FIN) and H.B. No. 1931, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1084 (FIN) and H.B. No. 1009, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1085 (FIN) and H.B. No. 1023, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1086 (FIN) and H.B. No. 201, entitled: "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1087 (FIN) and H.B. No. 312, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1088 (FIN) and H.B. No. 317, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1089 (FIN) and H.B. No. 1018, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1090 (FIN) and H.B. No. 1277, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1091 (FIN) and H.B. No. 1659, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1092 (FIN) and H.B. No. 1923, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1093 (FIN) and H.B. No. 1239, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1094 (FIN) and H.B. No. 1614, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1095 (FIN) and H.B. No. 1222, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1096 (FIN) and H.B. No. 1525, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO WEST MAUI SOIL AND WATER CONSERVATION DISTRICT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1097 (FIN) and H.B. No. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1098 (FIN) and H.B. No. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1099 (FIN) and H.B. No. 1719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1100 (FIN) and H.B. No. 1757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1101 (FIN) and H.B. No. 402, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1102 (FIN) and H.B. No. 1353, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1103 (FIN) and H.B. No. 5, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1104 (FIN) and H.B. No. 195, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1105 (FIN) and H.B. No. 424, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1106 (FIN) and H.B. No. 1345, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1107 (FIN) and H.B. No. 869, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1108 (FIN) and H.B. No. 724, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1109 (FIN) and H.B. No. 1414, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1110 (FIN) and H.B. No. 1605, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1111 (FIN) and H.B. No. 1631, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1112 (FIN) and H.B. No. 1670, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1113 (FIN) and H.B. No. 764, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING

TO VOTING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1114 (FIN) and H.B. No. 1047, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1115 (FIN) and H.B. No. 1373, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1116 (FIN) and H.B. No. 1475, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1117 (FIN) and H.B. No. 149, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1118 (FIN) and H.B. No. 436, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1119 (FIN) and H.B. No. 531, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1120 (FIN) and H.B. No. 715, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF WATER FOR AGRICULTURAL USE ON LANAI," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1121 (FIN) and H.B. No. 899, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1122 (FIN) and H.B. No. 902, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAX CREDITS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1123 (FIN) and H.B. No. 1220, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1124 (FIN) and H.B. No. 1615, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A SHELLFISH AQUACULTURE INDUSTRY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1125 (FIN) and H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1126 (FIN) and H.B. No. 600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1127 (FIN) and H.B. No. 1133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY REGISTRATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1128 (FIN) and H.B. No. 1767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1129 (FIN) and H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1130 (FIN) and H.B. No. 483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1131 (FIN) and H.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1132 (FIN) and H.B. No. 1377, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1133 (FIN) and H.B. No. 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1134 (JUD) and H.B. No. 38, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE AND COUNTY GOVERNMENTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1135 (JUD) and H.B. No. 373, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP DEALERS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1136 (JUD) and H.B. No. 408, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1137 (JUD) and H.B. No. 527, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1138 (JUD) and H.B. No. 1499, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1139 (JUD) and H.B. No. 1707, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF CAVES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1140 (JUD) and H.B. No. 1832, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1141 (JUD) and H.B. No. 1833, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1142 (JUD) and H.B. No. 1830, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1143 (FIN) and H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1144 (FIN) and H.B. No. 852, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1145 (FIN) and H.B. No. 1366, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1146 (FIN) and H.B. No. 1561, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1147 (FIN) and H.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1148 (FIN) and H.B. No. 1352, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1149 (FIN) and H.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR SPORTS FACILITY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1150 (FIN) and H.B. No. 962, entitled: "A BILL FOR AN ACT RELATING TO CHRONIC KIDNEY DISEASE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1151 (FIN) and H.B. No. 1096, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MORTGAGE CREDIT CERTIFICATES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1152 (FIN) and H.B. No. 895, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1153 (FIN) and H.B. No. 1211, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1154 (FIN) and H.B. No. 1270, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1155 (FIN) and H.B. No. 56, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1156 (FIN) and H.B. No. 1120, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1157 (FIN) and H.B. No. 1371, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1158 (FIN) and H.B. No. 1435, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1159 (FIN) and H.B. No. 751, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1160 (FIN) and H.B. No. 758, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1161 (FIN) and H.B. No. 760, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1162 (FIN) and H.B. No. 763, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1163 (FIN) and H.B. No. 833, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1164 (FIN) and H.B. No. 1082, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1165 (FIN) and H.B. No. 1291, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1166 (FIN) and H.B. No. 1367, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1167 (FIN) and H.B. No. 1660, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1168 (FIN) and H.B. No. 1043, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1169 (FIN) and H.B. No. 1755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1170 (FIN) and H.B. No. 859, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1171 (FIN) and H.B. No. 1500, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1172 (FIN) and H.B. No. 1817, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1173 (FIN) and H.B. No. 223, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1174 (FIN) and H.B. No. 1067, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF NEED," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1175 (FIN) and H.B. No. 1359, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1176 (FIN) and H.B. No. 1471, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1177 (FIN) and H.B. No. 1477, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1178 (FIN) and H.B. No. 652, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1179 (FIN) and H.B. No. 1899, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1180 (FIN) and H.B. No. 1268, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1181 (FIN) and H.B. No. 1735, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO COMMEMORATE THE CONTRIBUTIONS OF HAWAII'S RANCHING COMMUNITY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1182 (FIN) and H.B. No. 1866, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1183 (FIN) and H.B. No. 337, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1184 (FIN) and H.B. No. 226, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1185 (FIN) and H.B. No. 275, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1186 (FIN) and H.B. No. 1001, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1187 (FIN) and H.B. No. 1231, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1188 (FIN) and H.B. No. 338, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1189 (FIN) and H.B. No. 916, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1190 (FIN) and H.B. No. 1083, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1191 (FIN) and H.B. No. 1781, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TECHNOLOGY AND INNOVATION CENTER," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1192 (JUD) and H.B. No. 18, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1193 (JUD) and H.B. No. 1784, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1194 (JUD) and H.B. No. 1905, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1195 (FIN) and H.B. No. 88, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1196 (FIN) and H.B. No. 661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1197 (FIN) and H.B. No. 1848, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1198 (FIN) and H.B. No. 938, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1199 (FIN) and H.B. No. 16, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1200 (FIN) and H.B. No. 70, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 6, 2007.

Stand. Com. Rep. No. 1201 (FIN) and H.B. No. 1792, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," were placed on the calendar for Third Reading on March 6, 2007.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, March 6, 2007.

TWENTY-SIXTH DAY

Tuesday, March 6, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:09 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Miss Seiko Chow, a 4th grade student at Makalapa Elementary School, after which the Roll was called showing all members present with the exception of Representatives Takai and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Fifth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 284) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 284, informing the House that on March 5, 2007, the following bill was signed into law:

H.B. No. 1073, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 002)

INTRODUCTION

The following introduction was made to the members of the House:

Representative Karamatsu introduced Dr. Kristen Low.

Representative Har introduced 3rd, 4th, and 5th grade students from Mauka Lani Elementary School, and their advisors from the Mauka Lani 'Ohana Council, Mrs. Arisa Domingo, Ms. Tammy Sakato and Keahi Teson.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
32	Committee on Transportation, then to the Committee on Finance
33	Committee on Health, then to the Committee on Finance

H.C.R. Nos.	Referred to:
51	Committee on Human Services & Housing, then to the Committee on Legislative Management
52	Committee on Transportation, then to the Committee on Finance
53	Committee on Health, then to the Committee on Finance

At 9:14 o'clock a.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:27 o'clock a.m.

CONSENT CALENDAR

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Awana, Takai and Thielen were excused.)

At this time, the Chair announced:

"Members, we are on Part I, Consent Calendar. We will be taking up all measures and items on the Consent Calendar. Because it is the Consent Calendar, there will be no discussion on these items agreed to by both sides of this body, the Majority Caucus and the Minority Caucus for placement on the Consent Calendar."

UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 871) recommending that H.B. No. 1307, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1307, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 872) recommending that H.B. No. 1628, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1628, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 874) recommending that H.B. No. 362, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 362, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, we live in an area that is experiencing a traffic crisis. This crisis only grows worse year after year. When there is an accident on our roadways, it makes the traffic crisis almost unbearable. This bill allows for the removal of any vehicle involved in an accident resulting only in damage to a vehicle or other property that is driven or attended by any person off the roadway, including the shoulder or median of the road as close to the scene of the accident as possible. This would not only allow traffic to continue and thus help relieve the already congested roadways, but it would improve the safety conditions for all motorists and emergency responders.

"Mr. Speaker, the Tennessee Department of Transportation's informational brochure on their State law says that national studies have shown that up to 20% of all collisions on interstate-type roadways are "secondary", attributable to an earlier crash that has not been fully cleared. Also, one minute spent on the scene by fire and rescue personnel, police and other responders causes five minutes of traffic congestion. It improves response and clearance times at crash scenes, reduces crash-related traffic congestion and delay, reduces subsequent crashes and improves safety conditions for fire and rescue, police and other responders.

"Mr. Speaker this is a good and necessary bill and I urge my colleagues to vote in favor of the measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 878) recommending that H.B. No. 1311, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1311, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of HB 1311. The Money Transmitter Act that was passed last year was supported by a group of big money transmitters on the mainland to squeeze out the little local money transmitters in the State.

"Because the Act was initiated by a group of mainland based big money companies, there are tones of neo-colonialism and racism since many of those being adversely affected are Americans of Filipino descent or banks organized in the Philippines.

"The money transmitters bill that was passed last year, SB 2143, SD 2, HD 1, CD1 Money Transmitters 5/31/06 – Act 153, signed on 5/31/06 (Gov. Msg. No. 419) was intended for money lenders, not already heavily over-regulated banks like the Philippine National Bank which is a bank that is registered to do business in Hawaii and is already heavily regulated by both federal and State banking regulators.

"The bill was intended to cover the 'mom and pop' stores that do money transmitting, but not heavily regulated banks like BOH, FHB, ASB, PNB, who already must comply with the most stringent of U.S. banking laws. I urge my colleagues to support this worthy measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 880) recommending that H.B. No. 1864, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1864, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY FOR COQUI FROG ERADICATION EFFORTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 887) recommending that H.B. No. 136, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 136, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AIDS RESEARCH," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 888) recommending that H.B. No. 428, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 428, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 889) recommending that H.B. No. 767, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 767, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 891) recommending that H.B. No. 1014, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1014, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 892) recommending that H.B. No. 1528, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1528, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 893) recommending that H.B. No. 1530, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1530, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching submitted written remarks in support of the measure as follows:

"While I support the intent of this bill that offers a recruitment and retention incentive for teachers and educational assistants to work in public schools located in rural areas, my reservations are based on the concerns of Department of Budget and Finance Director Georgina Kawamura. I share the sentiment of the Department that we should not support the creation of any special fund which does not meet the requirements of Section 37-52.3 of the Hawaii Revised

Statues. Special or revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. It is difficult to determine whether the proposed funds will be self-sustaining."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 894) recommending that H.B. No. 1531, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1531, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in support of the measure as follows:

"In strong support of HB 1531. Last Session I introduced HB 3103 to bring nursing instruction to Leeward Community College. However, the measure did not pass.

"This year, I introduced HB 1811 to bring nursing instruction to Leeward Community College in which it passed the Higher Education Committee and was waived by the Health Committee for passage, but was not heard in Finance Committee in time for First Lateral. Thus, the measure was thought to be dead.

"However, under the leadership and guidance from Finance Chair Marcus Oshiro, the appropriation for nursing positions to be applicable to Leeward Community College's curriculum was incorporated into HB 1531, HD 2.

"The demand for nursing instruction to be able to cater to the Leeward population of Oahu is warranted. Such instruction offered at LCC will be heavily utilized by nursing students seeking to counter our nursing shortage."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1531, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 895) recommending that H.B. No. 104, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 104, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"I am in support of this measure. The purpose of this bill is to establish a process by which Medicaid fee-for-service individual provider reimbursement rates are increased annually for inflation and retroactively adjust for inflation, payments made to providers of hospital outpatient services, and other individual providers to account for the lack of a rate increase for the past five years.

"Hawaii's hospitals have annually lost millions of dollars because government reimbursement is far below cost. Between 2003-2005, Medicaid payments to hospitals covered only 73%-78% of total Medicaid costs, creating a strain on the hospitals financial stability.

"We don't want to create a situation where hospitals start cutting corners or refusing patient just to save a few bucks. We want them to provide the best care possible and not have to worry about where the money will come from. We need hospitals to see patients as people who need care and not as a financial burden."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 104, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 897) recommending that H.B. No. 453, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 453, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, in 1964 then Governor John A. Burns, established the Hawaii State Commission on the Status of Women. The Legislature then found that their work demonstrated the need for a continuing body to aid in the implementation of recommendations, to develop long range goals and to coordinate research planning, programming and action on the opportunities, need, problems and contributions of women in Hawaii.

"In its over 40 years of existence, Mr. Speaker, the Commission has worked to ensure women's rights, continue to advocate for the elimination of gender discrimination and identify and support programs for women. This bill appropriates moneys for the Hawaii State Commission on the Status of Women for programming, travel, and office expenses so they can continue their purpose in helping the women of our State. I urge all of my colleagues to support this piece of legislation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 453, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON THE STATUS OF WOMEN," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 898) recommending that H.B. No. 906, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 899) recommending that H.B. No. 928, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 928, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 903) recommending that H.B. No. 1283, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1283, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Berg voting no, and Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 904) recommending that H.B. No. 1356, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1356, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"I am in support of this measure. The purpose of this bill is to expand the opportunity for former foster youth to pursue and complete post-secondary education by increasing the length of the time to apply for a higher education board allowance and extending the maximum benefit length from 48 months to 60 months.

"Former foster youth are at much higher risk than the general population of becoming homeless, incarcerated, involved in violence, or to re-enter the system as parents of abused and neglected children. Upon turning 18, many youths leave the system with a desire for "freedom", but after a year or two they find they are not capable of surviving on their own. Expanding this program will enable those youth who didn't go to college or job training programs immediately after exiting to have avenues to escape the poverty that often accompanies a young adult with no training, no skills, and no support system.

"Passage of this bill will further the goal of transitioning our foster youth and helping them become healthy, productive adults."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1356, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Evans voting no, and Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 905) recommending that H.B. No. 1361, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1361, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"House Bill 1361 makes corrections to Chapter 356D Hawaii Revised Statutes to reflect the Legislature's intent to codify and make technical and housekeeping amendments to various Acts passed during the Regular Session of 2006 into Chapter 356D, Hawaii Revised Statutes .

"Section 356D-1 will be amended by adding a new definition for "tenant".

"Section 356D-92 amends subsection (f) relating to procedures for grievance hearings and termination of tenancy.

"Section 521-7 lists the exclusion from application for this Chapter.

"Section 356D-97 clarifies appeal rights subject to Chapter 600, Rules of the Court.

"And finally, Section 356D relates to temporary emergency housing.

"Thank you for the opportunity to make these corrections pertaining to Chapter 356D as enacted by the Regular Session of 2006."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 906) recommending that H.B. No. 1364, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1364, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 909) recommending that H.B. No. 528, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 528, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"I am in support of this measure. The purpose of this bill is to allow a minor who is not under the care, supervision, or control of a parent, custodian, or legal guardian, to consent to the provision of primary medical care and service.

"Unfortunately, in our society there are many teens without dependable adults in their lives. These teens have often been prevented from obtaining appropriate medical care due to a lack of responsible parent or guardian to provide consent for their health care.

"Passage of HB 528 will help Hawaii's most disadvantaged youth receive the medical care and services they need."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 528, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 910) recommending that H.B. No. 624, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 624, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 911) recommending that H.B. No. 1215, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1215, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 912) recommending that H.B. No. 1260, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 914) recommending that H.B. No. 1548, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1548, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in support of the measure as follows:

"In strong support of HB1548. Those on drugs committing crimes need to clean up their act if and when paroled. Maui, the Second Circuit, has modules within the prison system to separate those undergoing drug treatment from the rest of the prison population.

"It is a fact that drugs still permeate our prisons. Therefore, the First Circuit on Oahu must employ the same criteria to ensure an environment in which abstinence can be achieved.

"This measure will permit the criminal justice system to employ means to provide drug treatment in secured prison facilities. A common sense approach."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1548, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG TREATMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 915) recommending that H.B. No. 692, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 692, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 916) recommending that H.B. No. 1004, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1004, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 917) recommending that H.B. No. 1005, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1005, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 919) recommending that H.B. No. 1334, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Brower voting no, and Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 920) recommending that H.B. No. 1338, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1338, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 921) recommending that H.B. No. 592, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 592, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 922) recommending that H.B. No. 595, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 595, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 923) recommending that H.B. No. 55, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 55, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 924) recommending that H.B. No. 367, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 367, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure.

"Mr. Speaker, we know that the abuse of alcohol and drugs in our State is too high. We also know that screening, counseling and referral for those who are abusing are effective techniques in reducing such abuse. One way to help the abuse rate is by ensuring that a referral to appropriate alcohol and drug abuse screening and counseling is offered to a patient when an examining physician in a primary care or emergency room setting has good reason to suspect substance abuse by the patient.

"This initial point of contact in a medical setting is a recognized window of opportunity where patients are most vulnerable and open to intervention and dialogue that address their underlying alcohol or drug issues. It is at this "teachable moment" that individuals can benefit from assessment, education, counseling, or, if necessary, referral to treatment.

"This evidence-based, cost-effective program is recognized as a best practice model by the Substance Abuse and Mental Health Services Administration, an agency of the United States Department of Health and Human Services.

"Mr. Speaker, by investing in treatment we will reduce our incarceration rate and therefore reduce the cost to the State in the long-term. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 367, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 928) recommending that H.B. No. 1292, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 929) recommending that H.B. No. 831, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 831, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of House Bill 831. Mr. Speaker, I believe that the passage of HB 831, HD 1 will remove a stumbling block that prevents veteran burial grants from reaching those that need it the most.

"Filipino veterans of the New Filipino Scouts are entitled to receive burial grants from the Office of Veterans' Services. However, to qualify for these grants, the Filipino veteran's survivor or an interested party must produce an itemized paid invoice of the services rendered on the behalf of the deceased veteran. Due to the tremendous costs of funeral, burial and transportation services, some families and friends of these veterans cannot afford to pay the costs up front. The purpose of this Act is to remove this stumbling block by instead, requiring the submission of an itemized unpaid invoice.

"This measure would allow grants to be received by those who are in the most financial need, and not just those who can afford to front the costs. These veterans have served bravely for this great country, and it is only right that they receive these benefits. Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

Representative Cabanilla submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of H.B. 831, HD2 that requires the Office of Veterans' Services, at the request of a survivor or interested party of a deceased Filipino veteran who joined the New Filipino Scouts between October 6, 1945, and June 30, 1947, to make payment directly to a mortuary or crematory for funeral and burial services, and to transport the veteran's remains to the Philippines upon submission of an itemized unpaid invoice.

"The bill however should be modified to include all Filipino veterans and recognized guerilla forces of WWII and the New Filipino Scouts since the New Scouts have parity with the other Filipino veterans of WWII from the US Congress. This burial benefit is based on special needs and would be a token of gratitude and appreciation by our beloved State to show support and gratitude for the sacrifices made by our very own WWII Filipino veterans who risked their lives and liberty to keep and preserve democracy and our American way of life.

"On October 20, 1996, former President William Clinton and on July 26, 2001, President George W. Bush issued their respective Presidential Proclamations recognizing and honoring the vital role of the WWII Filipino Veterans in fighting side by side with their American counterparts to turn back the attacking enemy thus defending liberty and preserving democracy and U.S. freedom and way of life.

"The WWII Filipino Veterans deserve to have the same benefits provided to the 116,000 Allied Soldiers from 66 Allied countries, who were like the Filipino soldiers drafted and inducted under the same set of rules and who participated in the war efforts to help win the war.

"Most of the WWII Fil-Am Veterans residing in the State of Hawaii are too old to work. They could not find jobs to sustain their livelihood, as few are willing to hire old people to work. For most veterans, their only means of support is the meager welfare benefit SSI granted by the government. Most, if not all of the veterans presently residing in Hawaii, have no relatives to assist them in time of emergency.

"The burial grant provided by the State government through the State Legislature has partly solved the major burial problem encountered by veterans. More so with the increased burial expenses currently average over $6,000 compared to the 1997 burial tax expense of $3,500, a draconian 40 % increase.

"The attrition rate of death has increased due to the advancing age of the vast majority of Filipino veterans. The cheapest cost of expenditures is as indicated in a chart provided by local mortuary.

"State Burial grants would need to be at about $6,000 due to the 40% increase in funeral expenditures. The remaining amount that would be needed would be provided by private sources and veterans donors. Once death occurs due to close ties, the customs and traditions dictate that the remains be brought back to their homeland.

"The WWII Fil-Am-Veterans are now in their sunset years of their lives and attention and concern will boost their morale, together with their families. Therefore I appeal to your high sense justice and aloha spirit to continue to extend the Burial Assistance Program.

"Filipino veterans of WWII deserve special consideration for veteran status and rights of citizenship. At the time of their

induction, the Philippines was a part of the US and Filipino veterans were American nationals. They felt they owed their allegiance to America, and fought for America in its time of peril.

"Under American law, the US had the right to draft Filipinos into the US Army because Filipinos were US nationals. In 1941, the US drafted about 200,000 Filipinos to fight under Gen. Douglas MacArthur. In America's and truly the free world's time of desperate need, the Filipinos as US nationals were promised US citizenship and veterans benefits by President Franklin D. Roosevelt.

"The Filipino fought for and rescued America in its darkest moments. Filipino veterans fought side by side with other US troops. But after the war and the threat to the US was gone, the US turned around and bayoneted the Filipinos in the back with the Rescission Act of 1946 reneging on its promises. This injustice has marred the integrity of America for 61 years.

"Most of the Filipinos still living today have but one dying wish, to see their loved ones before they die. Many would be willing to forego medical treatment at the risk of dying prematurely, if only granted the chance to see their family again. It is virtually impossible for veteran's family in the Philippines to come to the US even to when the veteran is on their death bed; or after their death, even to bury them.

"To make matters worse the currency exchange rate from RP pesos to US dollars gets worse and worse every week working to the disadvantage of Filipino veterans whose entire family lives in the Philippines, unlike other veterans' cases. The average per capita income of veterans in the Philippines is roughly $50 per month versus in the US it is roughly $3,500 per month. This is why this bill introduced by the Filipino Caucus Chair Rep. Magaoay for veterans' burial assistance is so desperately needed. The Filipino Caucus has sixteen members, almost one third of this body.

"In 1990, Congress passed a law to allow Filipino veterans to become naturalized citizens. Over 10,000 of them came to the US and became naturalized. Civil rights proponents questioned, how can it be fair for some US veterans living in the US be entitled to VA benefits and others are not? It is an unjust situation.

"The same rights of citizenship should also be available for the children of these veterans. In some cases, the spouse of the veteran is forced to be deported because the backlog at the USCIS is so great, that when the veteran dies before the petition is approved, the petition is automatically void as well. Since they are in their 80s and 90s, their time is running out fast. It takes about 20 to 25 years to petition an adult child and all of the Filipino veterans of WWI are not expected to live that long.

"U.S. Senators Dan Akaka and Daniel Inouye recently introduced Senate Bill 671 that would remove the numerical limits for the sons and daughters of certain Filipino veterans, therefore expediting the visa issuance for them. However, S. 671 does not go far enough.

"Because most of the veterans are now in their 80s and 90s, they are living in extreme poverty, unusually on meager SSI payments. Even if their children can get a visa number, most veterans would not be able to sponsor them because of they can not meet the financial requirements of an affidavit of support. The Congress should also exempt veterans from the financial requirements.

"Granting equity and family reunification to the Filipino veterans is important for America to regain its honor and dignity to be fair to the veterans as well. The nature of world wars today tends to become global, and world partners and allies are necessary. If the US does not rehabilitate its reputation as an honorable and dependable ally, our sons and our daughters will continue to fight and die alone in far away lands like Afghanistan and Iraq, without the help of coalition forces from other countries.

"As long as the US continues to bayonet its allies in the back, no one from any country will be willing to contribute troops to any effort to help the US in foreign wars. The sons and daughters of US citizens will continue to lose their lives and bear the entire burden of the global war on terrorism.

"Mr. Speaker, the Filipino veterans of WWII represent a special needs case that must be rectified in light of the past injustices inflicted upon them. I urge all my colleagues to support this important measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 831, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 930) recommending that H.B. No. 457, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 457, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure.

"Mr. Speaker, Hawaii has more than 6,000 people behind bars – with more than 1,900 serving their sentences abroad. It is estimated that there are around 6,665 children who have parents incarcerated within our system. Research shows that children who have incarcerated parents suffer strong emotional reactions and are up to six times more likely of becoming a part of the criminal justice system themselves.

"Mr. Speaker, this bill seeks to help reduce those numbers. This program supports the expansion of parent-child interaction programs such as the SKIP program, at other State correctional facilities to facilitate appropriate child visitation of incarcerated parents. These programs strengthen family relationships and have a positive effect on preventing recidivism. Mr. Speaker, in the words of one of the testifiers who is with the Makua Keiki Program:

> This program is such a valuable and important resource for families of incarcerated parents. It gives them hope and an opportunity to become functioning, loving, nurturing fathers, mothers and/or parents. It empowers people and families who are at rock bottom and believe the only alternative left to them is hurt and pain and to lash out at others. It is a lifeline, to better, secure, loving relationships. It empowers families and communities, and society.

"I urge all of my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 457, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 931) recommending that H.B. No. 1402, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1402, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES.," passed

Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 1403, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1403, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 936) recommending that H.B. No. 277, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 277, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 940) recommending that H.B. No. 657, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 657, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 964) recommending that H.B. No. 1339, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1339, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 967) recommending that H.B. No. 1641, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1641, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 968) recommending that H.B. No. 469, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 469, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 969) recommending that H.B. No. 1750, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1750, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 971) recommending that H.B. No. 504, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 974) recommending that H.B. No. 1294, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 977) recommending that H.B. No. 15, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 15, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 979) recommending that H.B. No. 19, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 19, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 982) recommending that H.B. No. 598, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 983) recommending that H.B. No. 1630, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1630, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 984) recommending that H.B. No. 473, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 473, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"I am in support of this measure. The purpose of this bill is to appropriate general funds for FY08 and FY09 for the Bridge-To-Hope program to accommodate new federal TANF families program recipient students to enable them to pursue education activities beyond the two-year federal limit.

"Two years of education is obviously not enough time to acquire a Baccalaureate degree and the best they could hope for is a 2-year vocational program. This bill gives them an opportunity to obtain a college degree. Education is not the best way to solve this kind of social dilemma: it is the only way. And like the Bridge-To-Hope's motto says, "Education to leave poverty, not just welfare."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 473, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 987) recommending that H.B. No. 1379, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 988) recommending that H.B. No. 1493, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1493, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure.

"Mr. Speaker, in 1967, the Hawaii State Legislature established the Crime Victim Compensation Commission to mitigate the physical, emotional and financial impact suffered by victims of violent crime. This crucially important organization needs specialized entrepreneurial staff to adequately serve Hawaii's violent crime victims. To help get this staff and encourage applicants, this measure before us will exempt all new employees from the provisions found in our civil service law of Chapter 76. It does allow for new employees collective bargaining rights found under Chapter 89. This bill does not exempt current employees from the civil service law, only new ones to maintain staffing levels. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1493, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 997) recommending that H.B. No. 249, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING TOURISM," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Berg, Brower and Wakai voting no, and with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1002) recommending that H.B. No. 1442, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1442, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1007) recommending that H.B. No. 399, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1008) recommending that H.B. No. 400, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 400, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1010) recommending that H.B. No. 404, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 404, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1013) recommending that H.B. No. 1179, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1179, HD 1, entitled: "A BILL FOR AN

ACT MAKING AN APPROPRIATION TO THE COUNTY OF HAWAI'I FOR COQUI FROG ERADICATION AND CONTROL," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1015) recommending that H.B. No. 1639, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Berg and Wakai voting no, and with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1016) recommending that H.B. No. 1924, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1924, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ERADICATION AND CONTROL OF THE COQUI FROG," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1017) recommending that H.B. No. 119, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 119, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1020) recommending that H.B. No. 260, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1022) recommending that H.B. No. 1201, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1201, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1024) recommending that H.B. No. 211, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1025) recommending that H.B. No. 212, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 212, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1027) recommending that H.B. No. 817, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 817, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAGE PLUS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1028) recommending that H.B. No. 825, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 825, HD 1 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, Act 285 of Session 2006, established the Joint Legislative Committee on Family Caregiving to develop a comprehensive public policy to strengthen support for family caregivers in Hawaii. After several meetings the Committee submitted a Special Committee Report to the Legislature outlining its process for developing a policy to establish a comprehensive and sustainable, community-based family caregiver support system that will maximize resources in all communities. In its recommendations, the Committee noted that after reviewing the magnitude of creating a comprehensive family caregiver support system, more time is required to perform research and community outreach and establish pilot programs.

"Mr. Speaker, this bill extends the life of the Joint Legislative Committee on Family Caregiving to 2008, authorizes the Joint Legislative Committee to explore establishing a paid family leave program under the State temporary disability insurance law and requests the Committee to provide a broader definition for "family caregiver".

"Mr. Speaker, this bill is important because it seeks the betterment of the lives of those around us that need special attention. I urge my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 825, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1031) recommending that H.B. No. 1370, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1370, HD 1, entitled: "A BILL FOR AN

ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1032) recommending that H.B. No. 1372, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1372, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH.," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1033) recommending that H.B. No. 1378, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1378, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1034) recommending that H.B. No. 1495, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1495, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, palliative care helps people live with a disease or disorder by soothing the symptoms. Resources for this type of care are an integral part of healthcare; especially when you consider the rise of the elder population in our State within the next few years. It is important then that the State continue to help palliative care programs grow so that our citizens can benefit from the vital care they give.

"Mr. Speaker, as of the beginning of 2004, there were no formal palliative care programs in Hawaii. Through the work of Kokua Mau, there have been 5 programs developed with more on the way. The DHS testified that there is a community need for information about hospice and palliative care. Both healthcare professionals and families and caregivers can benefit from a one-stop clearinghouse of information and resources related to hospice and palliative care. Kokua Mau is the natural sponsor of such a center because it is the statewide end-of-life care coalition that is comprised of organizations and individuals committed to improving end-of-life care, and it holds the expertise in hospice and palliative care.

"This bill, Mr. Speaker, grant funds to Kokua Mau to help continue palliative care in our State, especially within long-term care settings. Our State needs to continue to focus on the need and benefits of palliative care for the members of our communities. I urge my colleagues to vote in favor of this measure. Thank you."

Representative Finnegan submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support. This bill is about supporting palliative care. Palliative care is so important for our *kupuna* and anyone who is facing longterm care needs or end of life care. The Legislature has been faced with groups wanting to pass a "Physician Assisted Suicide" or "Death With Dignity" law. We realized as this issue was being debated we needed to work on educating the medical profession, as well as the public, on palliative care services. Many are working on this issue and this bill recognizes that work. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1495, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PALLIATIVE CARE RESOURCES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1036) recommending that H.B. No. 194, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 194, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1037) recommending that H.B. No. 429, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1038) recommending that H.B. No. 581, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1042) recommending that H.B. No. 646, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 646, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1043) recommending that H.B. No. 870, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 870, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1046) recommending that H.B. No. 1289, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1289, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1047) recommending that H.B. No. 1278, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 1787, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1787, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1053) recommending that H.B. No. 487, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 320, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 320, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this bill. This bill appropriates money for at least 3 full-time security officers at Mayor Wright public housing homes. No one should feel afraid in their own home. Although I support this bill, I realize that the long-term solution comes from a committed neighborhood willing to put in the time and energy to make some fundamental changes in the community. Other public housing communities have been able to make long lasting changes to better their communities and my hope is that Mayor Wrights will be able to do the same."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 320, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 325, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 325, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 667, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 667, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 835, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 835, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of House Bill 835. Mr. Speaker, I believe that the passage of HB 835, HD 1 is a necessary step in alleviating the negative effects of the closure of Del Monte Fresh Produce. The closure of Del Monte pineapple operations in Hawaii was originally set to take place in 2008. However, this past November, Del Monte announced that the closure would be "immediate" – two years ahead of schedule.

"Most of the workers know no other work but plantation work, and 90% of them are immigrants who have little to no ability to speak English. For these workers to transition to new employment will be a very difficult process. The fact that it has come two years earlier than expected only compounds the problems of these displaced workers.

"The paramount concern of these workers is housing. Currently, many employees, retirees, and their families live in plantation homes. The closure could mean that these families will lose their homes. Through the passage of this bill, the legislature can ensure that these families are able to keep a roof over their heads.

"This measure will establish a program of low-interest loans and grants for home acquisition and rehabilitation; establish a rental assistance program; and provide supportive services to prepare current renters for homeownership.

"The plight of these displaced workers is of the utmost importance to me, and I am committed to seeing them successfully transition into new employment and secure adequate housing for them and their families. This measure will do much to facilitate such success.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 835, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 90, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 90, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1062) recommending that H.B. No. 92, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 92, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1064) recommending that H.B. No. 116, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 116, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Bertram, Lee and Yamane voting no, and with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1066) recommending that H.B. No. 1941, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLING INVASIVE SPECIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1071) recommending that H.B. No. 659, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 659, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1074) recommending that H.B. No. 1155, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 1609, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1609, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 1608, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1608, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1079) recommending that H.B. No. 1814, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1814, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 200, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 1902, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1902, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1083) recommending that H.B. No. 1931, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1931, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1086) recommending that H.B. No. 201, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 201, entitled: "A BILL FOR AN ACT RELATING TO STATE VETERANS' HOME," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1087) recommending that H.B. No. 312, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 312, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 317, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 317, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Takamine voting no, and Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 1018, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1018, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 1239, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1239, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1095) recommending that H.B. No. 1222, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1222, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1097) recommending that H.B. No. 570, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1098) recommending that H.B. No. 575, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1101) recommending that H.B. No. 402, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 402, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1102) recommending that H.B. No. 1353, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1353, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1103) recommending that H.B. No. 5, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 5, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1105) recommending that H.B. No. 424, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 424, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1106) recommending that H.B. No. 1345, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1345, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1107) recommending that H.B. No. 869, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 869, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1109) recommending that H.B. No. 1414, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1414, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS.," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1111) recommending that H.B. No. 1631, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1631, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1115) recommending that H.B. No. 1373, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1117) recommending that H.B. No. 149, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 149, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1119) recommending that H.B. No. 531, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 531, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1121) recommending that H.B. No. 899, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 899, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1123) recommending that H.B. No. 1220, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1220, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1124) recommending that H.B. No. 1615, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1615, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A SHELLFISH AQUACULTURE INDUSTRY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1125) recommending that H.B. No. 379, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1126) recommending that H.B. No. 600, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1130) recommending that H.B. No. 483, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1131) recommending that H.B. No. 1323, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1134) recommending that H.B. No. 38, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.B. No. 38, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF STATE AND COUNTY GOVERNMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1135) recommending that H.B. No. 373, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP DEALERS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1138) recommending that H.B. No. 1499, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1499, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1139) recommending that H.B. No. 1707, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF CAVES.," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1141) recommending that H.B. No. 1833, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1144) recommending that H.B. No. 852, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 852, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1145) recommending that H.B. No. 1366, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1366, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION INCENTIVES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1150) recommending that H.B. No. 962, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 962 pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of House Bill 962. Statistics show that chronic kidney disease, which is divided into 5 stages, affects all age groups. There is an increasing need for kidney dialysis services, especially in remote areas of the State of Hawaii. The National Kidney Foundation of Hawaii had stated several years ago that 1 in 10 citizens in our State had chronic kidney disease. Today the National Kidney Foundation of Hawaii, says that the ratio is now 1 in 7. Yes, these statistics are alarming, but even more so the costs to stabilize and assist these citizens who have this silent killer disease, is devastating.

"Due to the large number of Hawaiians also affected by this disease, the Office of Hawaiian Affairs, and Papa Ola Lokahi in conjunction with St. Francis Healthcare Foundation have done extensive research and have provided services to address chronic kidney disease, particularly end stage renal disease for patients living in remote areas of the State. It is evident by statistics that this disease is spreading rapidly and taking over the population of Hawaii.

"Mr. Speaker, the time to act is now and I believe that the passage of HB 962, will continue to support and assist the Office of Hawaiian Affairs, Papa Ola Lokahi and St. Francis Healthcare Foundation in promoting and providing the necessary services to aid our population of Hawaii, who have been infected with chronic kidney disease. This grant will appropriate the necessary funds, to support present and future modified home care and community health demonstration projects.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 962, entitled: "A BILL FOR AN ACT RELATING TO CHRONIC KIDNEY DISEASE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1151) recommending that H.B. No. 1096, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MORTGAGE CREDIT CERTIFICATES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1153) recommending that H.B. No. 1211, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1211, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1154) recommending that H.B. No. 1270, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1270, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1156) recommending that H.B. No. 1120, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1120, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1157) recommending that H.B. No. 1371, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1371, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH.," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1163) recommending that H.B. No. 833, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 833, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1165) recommending that H.B. No. 1291, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1166) recommending that H.B. No. 1367, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1367, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1172) recommending that H.B. No. 1817, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1817, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1173) recommending that H.B. No. 223, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 223, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1175) recommending that H.B. No. 1359, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1359, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1177) recommending that H.B. No. 1477, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1477, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1178) recommending that H.B. No. 652, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 652, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1181) recommending that H.B. No. 1735, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1735, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching submitted written remarks in support of the measure as follows:

"I am in strong support of H.B. 1735-- A Bill for an Act Creating a Waiomina Centennial Commission, recognizing the contributions of the ranching community to Hawaii.

"As Hawaii has grown, a growing disconnect has emerged between the general society and agriculture, including ranching. Hawaii's agriculture has a proud history of innovation and entrepreneurship that should be remembered. The Commission will help to ensure that school children and adults will be exposed to the history of one of Hawaii's oldest and largest economies, and to the lives of the men

and women whose work ethic and respect for education offer a positive example for young people to develop a dream."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1735, HD 2, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO COMMEMORATE THE CONTRIBUTIONS OF HAWAII'S RANCHING COMMUNITY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1182) recommending that H.B. No. 1866, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1866, HD 3 pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto submitted written remarks in support of the measure as follows:

"Mr. Speaker, I simply wish to insert the comments of Mr. Hubert Minn who has some concerns. Mr. Minn is a former boxer and member of the Boxing Commission and is extremely knowledgeable about this subject.

"From: Mr. Hubert P. Minn
Chairman, Ring Officials
World Boxing Council
Honolulu, Hawaii

Re; H.B. No. 1866- A Bill for an act relating to Mixed Martial Arts

Dear, Barbara

I'm sorry I missed you at the hearing and I decided at the last moment to not testify but instead send you my remarks regarding this important bill.

Although the purpose of this bill is admirable – "To protect the health and safety of contestants engaged in mixed martial arts contests and to provide comprehensive oversight of mixed martial arts contests", the Bill seems to actually fall short of insuring the Purpose due to the some of the recommendations within the Bill itself.

Please let me explain some of the most important and critical issues that I see that will hinder and make this bill ineffective, and you, more than anyone, understand the problems that occur when passing poor legislation.

Everything I will state is based on one premise – Safety, welfare, and justice to the fighters, the public, and finally the promoters.

#1. Cover page, amendment no 3 - Removing Timekeepers, Judges, and Seconds from the licensing requirements, "This displays the real lack of understanding & is absurd. Every official participating in a mixed martial arts contest, etc. should be certified and trained. How can you allow a Judge to not be certified? Even in youth sports, high school, and college sports, the Judges and all Officials are all certified, insuring that they have gone thru some type of training that insures the safety and proper application of the rules. Even more important, the Second must be certified because he, other than the fighter himself, is the only person in the contest, other than the referee, that can not only determine if his fighter is still competent to compete and his safety is not compromised, but can also stop the contest.

This is not basketball or football. The intent of this sport is to do bodily harm to another person, either by striking, kicking, or applying locks that can either break or dislocate a part of the body, so wouldn't you want someone who really understands, is trained, and has passed certification in the ring with the contestant?

Would you allow you [*sic*] son or daughter to go into a contest such as this with anyone? That is what would happen if you allow Officials to be removed from the licensing requirements. This alone is counterproductive to the purpose of "protecting the health and welfare of the contestants." This is why it is mandatory to have certified and licensed Officials.

Imagine if a contestant gets badly injured due to the lack of expertise or understanding. And when someone asks, "How come the second didn't stop the fight, etc". The answer will be – "the fault lies with the legislature because in their esteemed wisdom, they decided that it wasn't necessary for these officials to be certified or licensed." The world of boxing recently passed legislation that mandates Seconds to take a course that allows them to learn about characteristics of dehydration, serious injuries, and other critical issues that can save a fighters life. The days of the old timers that handle fighters because that's what they always did are over.

Licensing and Certification should be mandatory when you start talking about safety for this sport.

#2. Commission established – I believe that you will have more problems that are necessary by creating a new commission, specifically for Martial Arts. Why? 1st let me address the actual recommendation in HB 1866 that speaks to this issue. "The commission shall consist of five members appointed by the Governor pursuant to section 26-34, provided that at least one member shall have experience as a mixed martial arts contestant."

The Governor's appointment to Boards seem to reflect more politics than actually placing experienced, credible, individuals from the field that the Board represents.

A good example is the Boxing Commission. The Chairman has absolutely no experience at all in boxing but he is appointed by the Governor? I foresee the same thing happening again with the creation of a new Commission and on top of that, the commission could possibly end up with only one person with some experience.

At the very least, I would recommend that if you intend to pass this bill, make it so that a minimum of 3 out of 5 members, have some experience.

We are talking about one of the most dangerous sports and you want to allow the possibility of having only one person with any type of experience on this board? Once again this is like my first issue – When problems occur, and the responsibility falls on the commission, people will say, "the legislature seemed to think that having only one person with experience was sufficient to insure safety, etc" It doesn't make sense. It's like passing rules that say, the Legislature will form a committee of the Ways & Means and the minimum requirement is that you have only one person who has been elected more than one term. Would you fill the Ways & Means with rookies? Of course not.

Now am I for a commission? Not really. Why? Why try to re-invent the wheel? What makes Hawaii so great in Martial Arts contest that we need to differ from all the other Martial Arts sanctioning bodies that are much larger and more successful nationwide? California and Nevada hold the largest and most prestigious Martial Arts contest. They all fall under the State Athletic Commission. The same commission that regulates Boxing and Wrestling also.

Ultimate Fighting Champion President Dana White stated that "when we created this organization, we ran to the Nevada Athletic Commission and begged to be sanctioned by the commission because we knew that only by doing this, would we build the sport into something credible." Being a contestant is one thing, but

understanding policies and regulations, and administration is what the commissions are all about and within the Hawaii State Boxing Commission, you already have all the necessary and legally secure rules and regulations, so anyone sitting on the Commission can easily navigate and learn what is mandatory and why.

Can you imagine trying to establish another legislature with inexperienced people? Don't you think it's easier to work within the infrastructure established already? Don't you think it's easier for some newly elected legislator to learn how government works by being part of this system than trying to learn under a new system that hasn't established many of the policies and protocols you have already?

The only thing I would do is to add 3 selected, credible and experienced Mixed Martial Arts members to the Boxing Commission to consult and help the Commission. The Commission will definitely need this expertise, and the Martial Arts members will learn about policies and regulations in terms of safety also.

People need to embrace each others diversity rather than fear it. I believe that the Martial Arts people and the boxing Commission need to come together for the good of the sport as well as Safety.

Even if the Boxing Commission does not support doing this, it is not their call. As a state commission, their duty is to administer and monitor the safety and welfare of the fighters and the public. They should not abandon their responsibility because they don't support the sport. They weren't elected to do this. They were selected.

#3. Section 10 - Requirements to hold a mixed Martial Arts event.

This to me really displays the lawmaker's lack of understanding in such a brutal sport and this section commands the most attention because this is where safety is paramount during the actual contest.

Section G states–"a promoter shall provide to the commission written confirmation that an ambulance with paramedics and appropriate security have been obtained and will be present at all times at the venue of the mixed martial arts contest."

This is the only section that actually "hint" at some type of safeguards for the welfare of the contestants, however it does not really maximize saving an injured persons life. Let me explain. When a fighter gets injured and it is life-threatening, (and we should always prepare for the worse), the most important thing that will save him is "time". The longer he cannot get to the hospital, the more his chances to save him from serious life long damage or even death erodes. Yes, you can have an ambulance and security, but do you have a "Safety Plan, that addresses these concerns.

In my experience under these conditions, usually panic sets in to the relatives, friends, and crowd. Than it becomes increasingly difficult to disperse the crowd out of the way to allow the fighter to be removed from the premises. Also, what is the fastest way out to the ambulance? Are the Paramedics situated and understand that under extreme conditions, this is what should happen? Has security been trained and walked thru the procedures so they know exactly what they should be doing and where to help with the expedient removal of the injured person? Is the Ambulance facing the closest exit and what plans have been made once the ambulance needs to leave? Can they get out as quick as possible? Has the nearest hospital been notified of the event so that they are prepared for an emergency? All of this must be done and rehearsed to insure the fastest and most efficient manner to remove an injured contestant. A Filipino boxer's life was saved in Japan, when he suffered a blood clot from a blow. In 12 minutes he was on the operating table to remove the clot. This was from the moment a competent doctor examined him in the ring and determined this was an emergency.

I guarantee that if this occurred in Hawaii, even with the current legislation mandating Paramedics, Ambulance, & Security, it would not save many lives because of the lack of logistics.

What I recommend that should be stated instead is, "A promoter shall provide to the commission written confirmation that all requirements as stated in the approved Commission's Safety Plan, have been obtained.

The Safety Plan should include Ambulance, Paramedics, Security, and all the other issues presented as logistics. Now we are really addressing and legislating true Safety for the contestants.

There is nothing in the bill that also addresses Certification for the Referee as well as the Physician. These 2 individual [*sic*] are paramount in regards to safety. Both can stop a fight to prevent injury, but they must be trained for this.

People think that any physician can be selected to be a Ringside Physician. Wrong. I don't care what type of doctor you are. If you do not get a certificate and pass training as a Ringside Physician, than [*sic*] you are not that competent as a doctor at ringside. Most physicians are watching the fight for the most part when they should be watching the fighters and his physical reaction to blow, cuts, etc. This is much different than sewing someone up. Right now today, in [sic], physicians are taking part in the Ring Officials Medical Clinic sponsored by the Ringside Physicians organization. Referees must constantly be recertified but there doesn't seem to be much emphasis in this critical area that addresses the fighter's welfare.

Without these issues addressed, I feel certain that this legislation will not prevent the injuries and problems that the bill intended. It's a good start, but realistically lacks the knowledge necessary to really implement the purpose. I believe that it is no one's fault. It often happens because there is not enough understanding and knowledge of the Sport itself. Haw many lawmakers have actually participated in a contest? How many have gone to one? How many understand the safety issues that the Boxing Commission addresses?

In closing, I wish to commend you on your attempt to craft necessary legislation that will help regulate the sport and I hope the information I shared with you will possibly help guide you in understanding what needs to be implemented as mandatory guidelines in relation to effective and efficient safety measures.

If you have any questions, please feel free to contact me. Mahalo for your time,

Aloha,
Hubert P. Minn"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1866, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1183) recommending that H.B. No. 337, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 337, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of House Bill 337, HD 1. Mr. Speaker, this bill would authorize the Agribusiness Development

Corporation to issue revenue bonds to purchase agriculture land in Kunia, and Ewa.

"Kunia lands are one of the most fertile and productive agriculture lands in the State. If there are any lands necessary to support our agriculture industry, the Kunia lands would fit this category.

"I believe that passage of HB 337, HD 1 would guarantee the long-term availability of these lands for continued cultivation. The acquisition of this valuable piece of land would protect and preserve what is left of the State's important agriculture lands. It will give added value to the State's economy.

"Finally Mr. Speaker, farming supports our tourism industry by conserving and protecting our picturesque, open countryside that our residents and visitors value. Thank you very much Mr. Speaker, and I ask my colleagues to support me on this bill."

Representative Karamatsu submitted written remarks in support of the measure as follows:

"I am in support. The purpose of this bill is to preserve agricultural lands on Oahu by authorizing the Agribusiness Development Corporation (ADC) to purchase through general funds or revenue bonds, agricultural lands located in the Kunia or Ewa areas on Oahu, or both.

"In addition, ADC would have the authority to lease ADC-controlled agricultural land by contracting with a financial institution that is transacting business in this state to provide lease management service.

"Finally, this measure provides additional flexibility to ADC by allowing it to purchase, accept, and maintain permanent conservation easements in accordance with the Natural Resources Conservation Service Farm and Ranch Lands Protection Program. Thank you."

Representative Cabanilla submitted written remarks in support of the measure as follows:

"In strong support of HB337. The measure permits the Agribusiness Development Corporation to be authorized to purchase agriculture lands located in the Kunia or Ewa areas, or both, on the island of Oahu and submit to the Legislature a progress report on its actions to obtain these lands no later than twenty days prior to the convening of the regular session of 2008.

"The landscape in the Ewa Plain is changing so fast, that this bill would provide a better grasp as to what farm lands are diminishing. This measure makes a very good point, and that is to preserve and sustain viable agricultural enterprises within a contiguous geographical area like Ewa."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 337, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1184) recommending that H.B. No. 226, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 226, HD 2 pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer submitted written remarks in opposition to the measure as follows:

"I am in opposition to this bill, HB 226. This bill would give the Department of Health sweeping new powers to regulate industry for the purpose of reducing greenhouse gases.

"I have several objections to this bill, as follows:

(1) While it appears that some degree of global warming may be occurring, the theory that humans, rather than natural climatic cycles, are the chief cause is at best a speculative theory. Polls done of scientists studying this theory show a broad range of estimates of not only the degree of warming, but of the percentage due to human versus other natural causes. In short, even the experts broadly disagree about this theory. It is not settled science. This bill would certainly harm our economy, while it might do little or nothing to address the problem it purports to solve.

(2) Some proponents of this theory are blatant hypocrites. For example, former President Al Gore [*sic*] has been jet-setting all over the country, burning up huge amounts of fuels, to promote his movie about global warming. Further, he lives in huge 10,000 square foot mansion that uses 20 times the national average of electricity usage. Can we really trust people whose deeds completely repudiate the theories they profess to believe in?

(3) Hawaii is an infinitesimally tiny part of the global economy. Simply put, no matter how much we harm our economy in an effort to reduce greenhouse gas emissions, it will make virtually no difference in global greenhouse gas emissions. Furthermore, since rapidly developing counties like China are aggressively seeking fuel supplies, any restraint on our part would almost certainly result in the amount of fossil fuel saved by us being acquired and used in China, India, or other developing counties. That is, the net result of this bill would most likely be no drop whatsoever in global fossil fuel consumption.

(4) It is irresponsible to sacrifice our State's economy for a hollow, symbolic gesture meant to appease a tiny, vocal special interest that advocates a policy that would harm virtually all of our constituents. I urge my colleagues to vote 'no.'"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 226, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Meyer voting no, and Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1185) recommending that H.B. No. 275, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1187) recommending that H.B. No. 1231, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1231, HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1191) recommending that H.B. No. 1781, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1781, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TECHNOLOGY AND INNOVATION CENTER," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

THIRD READING

H.B. No. 987, HD 1:

Representative Caldwell moved that H.B. No. 987, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Sonson submitted written remarks in support of the measure as follows:

"The purpose of this bill is to clarify and expand the right of police officers to receive legal counsel in civil and criminal cases where they are sued or prosecuted. The bill adds a definition of "acts done in the performance of the officer's duty as a police officer" to HRS 52D-8 as follows:

(1) Any action while in a duty status or while the police officer is on duty;

(2) Any action performed by an off-duty police officer while effecting an arrest or performing any other police duty; or

(3) Any action performed by the police officer while on special duty status; provided that the action was within the course and scope of the police officer's official duties.

"One potential affect of the proposed bill is to extend the right of police officers to be represented to instances where they are off-duty and make an arrest during the course of working as part of a private security contractor. While I support the general intent of this measure, perhaps it would be prudent to re-examine the scope of the proposed language to ensure that the right to counsel is not overly-extended. There may be rare instances where an off-duty police officer has acted with extreme recklessness or malicious intent, and it does not seem that the intent of H.B. 987 is to expend government resources in these cases."

The motion was put to vote by the Chair and carried, and, H.B. No. 987, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE OFFICERS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1130, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1131, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 910, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 910, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 975, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 975, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1512, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 128, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1108, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 380, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 380, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PARTICIPATION IN GOVERNMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1565, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1565, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1785, HD 1:

Representative Caldwell moved that H.B. No. 1785, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure.

"Mr. Speaker, the island of Oahu has 18 regular serving ambulances. Of these 18, 9 have an odometer reading of over 100,000 miles, and 3 with over 200,000 miles. This is something that needs to be fixed especially since these vehicles serve a

population that is growing towards 1 million, and last year alone EMS responded to over 70,000 911 calls on this island.

"Mr. Speaker, this bill would provide to the City and County of Honolulu the necessary funds to purchase 7 ambulances and 15 defibrillators. This bill is necessary so that our emergency personnel can respond quickly to a situation with the assurance that their equipment will perform as needed.

"I don't think any of us would want to be riding in an ambulance on our way to the hospital and have the ambulance break down, as was mentioned as happening at the hearing. I urge my colleagues to vote in favor of this measure. Thank you.

The motion was put to vote by the Chair and carried, and H.B. No. 1785, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1412, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1412, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES.," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1188, HD 1:

Representative Caldwell moved that H.B. No. 1188, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"The State is in crisis, more and more, of our residents are not able to afford to pay rent or own homes, and combined with the lack of affordable inventory are being forced into homelessness.

"This bill on behalf of the State, will require the Hawaii Housing Finance and Development Corporation (HHFDC) to develop real property and construct dwelling units with a percentage of the properties priced at a percentage below the median home price for the relevant geographical area. (For purposes of this measure "relevant geographical area" means the county in which the project is located.)

"Any projects initiated after June 30, 2007 will be required by this measure to ensure that not less than ten percent of the total number of units in single-family project consisting of fifty units or more shall be priced at forty percent below the median home price of the relevant geographical area.

"These are desperate times for our families, the State needs to take a lead in recognizing how discouraging it has become for families to obtain safe and decent housing for their families. I ask that you take the time to consider these individuals and families who are in dire need of assistance. Aloha."

The motion was put to vote by the Chair and carried, and H.B. No. 1188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1337, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1159, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1253, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1210, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1210, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1773, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 272, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 272, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1627, HD 1:

Representative Caldwell moved that H.B. No. 1627, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in support of the measure as follows:

"In support of HB1627 HD1. This is a house-keeping measure that helps define for the purchaser the availability to acquire the condominium map that is to be made available by the developer or seller.

"It also provides for the transmittal of governing documents of an AOAO by electronic means to better serve all parties engaged in transference of condominium regime property."

The motion was put to vote by the Chair and carried, and H.B. No. 1627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 419, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 419, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1922, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1922, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 162, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Brower voting no, and Representatives Awana, Takai and Thielen being excused.

H.B. No. 501, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME REFUNDABLE TAX CREDIT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 502, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1226, HD 1:

Representative Caldwell moved that H.B. No. 1226, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in opposition to the measure as follows:

"Mr. Speaker, I am in opposition to HB 1226. There needs to be some responsibility and accountability by DAGS to be fiscally responsible. Year after year, DAGS comes to the legislature requesting an emergency appropriation for electricity payments statewide.

"DAGS should not being paying for all its mismanagement and costs overruns with the moneys allocated for electricity, and then come to the Legislature asking for money for electricity without any accountability. It should instead be accountable and explain to the Legislature the exact reasons why it is experiencing a short fall in the DAGS budget.

"The law should be changed to require DAGS to only pay for items it was authorized and to pay for its electricity and other utilities expenses first, as budgeted and to prohibit the use of electricity money to be used for mismanagement and costs overruns. I urge my colleagues to oppose this bill."

The motion was put to vote by the Chair and carried, and H.B. No. 1226, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Awana, Takai and Thielen being excused.

H.B. No. 1227, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1227, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1411, HD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1411, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1943, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1943, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1756:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1756, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 110, HD 1:

Representative Caldwell moved that H.B. No. 110, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"Aloha. The recent news of housing concerns that are affecting the University of Hawaii help us to understand the need for our support and the passage of this bill. The University System is valuable for the future and growth of Hawaii.

"The System continues to grow throughout the State to service our residents. Increasing numbers of students from across the US. and foreign countries are coming to Hawaii to study and experience aloha. Student housing within the University of Hawaii system is limited and difficult to obtain. As the availability of student housing diminishes, the students are forced to seek homes and apartments adding to, and competing with the number of people seeking affordable housing.

"Students residing off campus add to traffic congestion, and parking concerns. Passage of this bill will allow the University of Hawaii System to use potential alternatives to increase the student housing inventory close to or on University of Hawaii campuses, allowing growth at Manoa and other campuses that will have the safety of our students at the foremost.

"From the planned West Oahu Campus, across the State to the West Hawaii campus in Kona and the University of Hawaii at Hilo, which has been designated by the University of Hawaii System to be the premiere residential campus in their system, we need to provide the resources and housing required to prepare our students here at home in our University System."

The motion was put to vote by the Chair and carried, and H.B. No. 110, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1152, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

H.B. No. 1171, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 48 ayes, with Representatives Awana, Takai and Thielen being excused.

At 9:32 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1307, HD 2
H.B. No. 1628, HD 1
H.B. No. 362, HD 1
H.B. No. 1311, HD 1
H.B. No. 1864, HD 2
H.B. No. 136, HD 2
H.B. No. 428, HD 2
H.B. No. 767, HD 2
H.B. No. 1014, HD 2
H.B. No. 1528, HD 2
H.B. No. 1530, HD 1
H.B. No. 1531, HD 2
H.B. No. 104, HD 2
H.B. No. 453, HD 1
H.B. No. 906, HD 1
H.B. No. 928, HD 1
H.B. No. 1283, HD 2
H.B. No. 1356, HD 2
H.B. No. 1361, HD 1
H.B. No. 1364, HD 2
H.B. No. 528, HD 2
H.B. No. 624, HD 2
H.B. No. 1215, HD 2
H.B. No. 1260, HD 1
H.B. No. 1548, HD 1
H.B. No. 692, HD 2
H.B. No. 1004, HD 2
H.B. No. 1005, HD 2
H.B. No. 1334, HD 1
H.B. No. 1338, HD 2
H.B. No. 592, HD 1
H.B. No. 595, HD 2
H.B. No. 55, HD 1
H.B. No. 367, HD 1
H.B. No. 1292, HD 1
H.B. No. 831, HD 2
H.B. No. 457, HD 2
H.B. No. 1402, HD 2
H.B. No. 1403, HD 2
H.B. No. 277, HD 1
H.B. No. 657, HD 1
H.B. No. 1339, HD 1
H.B. No. 1641, HD 2
H.B. No. 469, HD 1
H.B. No. 1750, HD 2
H.B. No. 504
H.B. No. 1294
H.B. No. 15, HD 2
H.B. No. 19, HD 2
H.B. No. 598, HD 1
H.B. No. 1630, HD 2
H.B. No. 473, HD 2
H.B. No. 1379, HD 1
H.B. No. 1493, HD 2
H.B. No. 249, HD 1
H.B. No. 1442, HD 1
H.B. No. 399, HD 1
H.B. No. 400, HD 1
H.B. No. 404, HD 2
H.B. No. 1179, HD 1
H.B. No. 1639, HD 2
H.B. No. 1924, HD 1
H.B. No. 119
H.B. No. 260
H.B. No. 1201, HD 1
H.B. No. 211, HD 1
H.B. No. 212, HD 2
H.B. No. 817, HD 1
H.B. No. 825, HD 1
H.B. No. 1370, HD 1
H.B. No. 1372, HD 1
H.B. No. 1378, HD 1
H.B. No. 1495, HD 2
H.B. No. 194, HD 1
H.B. No. 429, HD 1
H.B. No. 581, HD 1
H.B. No. 646, HD 2
H.B. No. 870, HD 1
H.B. No. 1289, HD 2
H.B. No. 1278, HD 1
H.B. No. 1787, HD 1
H.B. No. 487, HD 1
H.B. No. 320, HD 2
H.B. No. 325, HD 2
H.B. No. 667, HD 1
H.B. No. 835, HD 2
H.B. No. 90, HD 2
H.B. No. 92, HD 1
H.B. No. 116, HD 2
H.B. No. 1941, HD 1
H.B. No. 659, HD 2
H.B. No. 1155, HD 1
H.B. No. 1609, HD 1
H.B. No. 1608
H.B. No. 1814
H.B. No. 200, HD 1
H.B. No. 1902
H.B. No. 1931
H.B. No. 201
H.B. No. 312, HD 2
H.B. No. 317, HD 2
H.B. No. 1018, HD 2
H.B. No. 1239, HD 2
H.B. No. 1222, HD 2
H.B. No. 570, HD 1
H.B. No. 575, HD 1
H.B. No. 402, HD 1
H.B. No. 1353, HD 1
H.B. No. 5, HD 1
H.B. No. 424, HD 2
H.B. No. 1345, HD 2
H.B. No. 869, HD 1
H.B. No. 1414, HD 1
H.B. No. 1631, HD 2
H.B. No. 1373, HD 1
H.B. No. 149, HD 2
H.B. No. 531, HD 3
H.B. No. 899, HD 1
H.B. No. 1220, HD 1
H.B. No. 1615, HD 1
H.B. No. 379, HD 1
H.B. No. 600, HD 1
H.B. No. 483, HD 1
H.B. No. 1323
H.B. No. 38, HD 2
H.B. No. 373, HD 1
H.B. No. 1499, HD 2
H.B. No. 1707, HD 1
H.B. No. 1833, HD 1

H.B. No. 852
H.B. No. 1366
H.B. No. 962
H.B. No. 1096, HD 1
H.B. No. 1211, HD 2
H.B. No. 1270, HD 2
H.B. No. 1120, HD 2
H.B. No. 1371, HD 2
H.B. No. 833, HD 2
H.B. No. 1291, HD 1
H.B. No. 1367, HD 1
H.B. No. 1817, HD 2
H.B. No. 223, HD 3
H.B. No. 1359, HD 1
H.B. No. 1477, HD 2
H.B. No. 652, HD 2
H.B. No. 1735, HD 2
H.B. No. 1866, HD 3
H.B. No. 337, HD 2
H.B. No. 226, HD 2
H.B. No. 275, HD 1
H.B. No. 1231, HD 2
H.B. No. 1781, HD 2
H.B. No. 987, HD 1
H.B. No. 1130, HD 1
H.B. No. 1131, HD 1
H.B. No. 910, HD 1
H.B. No. 975, HD 1
H.B. No. 1512, HD 1
H.B. No. 128, HD 1
H.B. No. 1108, HD 1
H.B. No. 380, HD 1
H.B. No. 1565, HD 1
H.B. No. 1785, HD 1
H.B. No. 1412, HD 1
H.B. No. 1188, HD 1
H.B. No. 1337, HD 1
H.B. No. 1159, HD 1
H.B. No. 1253, HD 1
H.B. No. 1210, HD 1
H.B. No. 1773, HD 1
H.B. No. 272, HD 1
H.B. No. 1627, HD 1
H.B. No. 419, HD 1
H.B. No. 1922, HD 1
H.B. No. 162, HD 1
H.B. No. 501, HD 1
H.B. No. 502, HD 1
H.B. No. 1226, HD 1
H.B. No. 1227, HD 1
H.B. No. 1411, HD 2
H.B. No. 1943, HD 1
H.B. No. 1756
H.B. No. 110, HD 1
H.B. No. 1152, HD 1
H.B. No. 1171, HD 1

The Chair then announced:

"Members, please remember to let the Clerk know which bills on the Consent Calendar you will be inserting comments for the Journal. This must be done before the adjournment of today's floor session. You are allowed to submit your request to insert written comments to the Clerk before the adjournment of today's floor session."

At 9:33 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:53 o'clock a.m.

The Chair then announced:

"Members, we are on Part II, the Ordinary Calendar on page 8 of the Order of the Day. At this time, on page 35, Stand. Com. Rep. No. 996, HB 1456, HD 2. We will take this up at the end of the calendar for decision making.

"Also at this time, we will be taking up two items. Page 32, Stand. Com. Rep. No. 941, HB No. 937, HD 2. Also, page 49, Stand. Com. Rep. No. 1198, HB No. 938, HD 1."

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection and Commerce presented a report (Stand. Com. Rep. No. 941) recommending that H.B. No. 937, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that notwithstanding the recommendations contained in Standing Committee Report No. 941, that H.B. No. 937, HD 2, be recommitted to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and H.B. No. 937, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL AND PLUMBING TRADES," was recommitted to the Committee on Consumer Protection & Commerce, with Representatives Luke, Takai, Thielen and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1198) recommending that H.B. No. 938, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that notwithstanding the recommendations contained in Standing Committee Report No. 1198, that H.B. No. 938, HD 1, be recommitted to the Committee on Finance, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and H.B. No. 938, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," was recommitted to the Committee on Finance, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 873) recommending that H.B. No. 356, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 356, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support efforts to protect children. However, HB No. 356, H.D. 2 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the Judicial Branch and the State's correctional facilities and programs.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the pubic, the Legislative Branch, the Judicial Branch, and the

Executive Branch get the fiscal implications of this law which amends the Penal Code."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just would like to mention my reservation on Stand. Com. Rep. No. 873. My reservation is that on page 3 of the bill it asks for a 15-year old to be with a child if there's another minor there. There are a lot of young families and a lot of single parents. I would be happier to see a 12-year old be able to take care of another child in there."

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition to H.B. 356. Mr. Speaker, this bill addresses the issue of endangerment to children left unsupervised in motor vehicles. It's also a 'knee-jerk' reaction to a highly publicized situation that's very rare.

"The bill is objectionable in a couple of ways. First, it says that a child may be taken into custody if the parent cannot be located within a reasonable time. This standard is vague and open to possible contradictory interpretation. I don't think that we should let it stand, given that this situation has great consequences to be left in the hands or the discretion of police officers or those who are respondents into the bill.

"The great consequences that we're talking about is, it's not just that it's a penalty. That's obvious here. The less obvious penalty is actually being referred to CPS. If there's anyone here who's heard of the CPS system in Hawaii and you have been part of at least a part of the proceedings that go on, you'll know how serious it is when parents are subjected to the CPS system. Moreover, under the modern standard, a child who's 15-years old is incapable of taking temporary responsibility for care of younger children.

"Mr. Speaker, on Sunday, at the beach, my thirteen year old child was caught in the rip current, but still tried to help a 10-year old that was also being pulled by the rip current. The situation ended happily since I yelled very loudly and someone with a boogie board came to help. The first thing that the lifeguard who came after the situation was safe said was, 'You know, how come you guys are not watching your kids?' to us parents. Again, we cannot, at this particular situation, be degrading parents in their inability to watch their kids. You are given discretion in the ability of their children to take care of themselves and you stay some distance away from them.

"In this situation that we're dealing with here, some parent and I take a quotation from the Public Defender's testimony. Some parents are not given any discretion whatsoever by this bill. Here's what they said: 'Legislation should not be used to penalize parents who might leave their children in the vehicle in order to run a short errand. Under the proposed law, a parent who merely forgot that a child was in the backseat of the vehicle would be convicted under this particular statute. If they intent of HB 356 is to prevent long-term or unreasonable cases of child endangerment, there are already laws which address these situations. In short, HB 356 encroaches on parental right to make reasonable decisions regarding the rearing of children.'

"We cannot act like 'Big Brother' all the time or be the actual parent. These parental rights will not give parents a chance to be parents. There are already laws that will address situations as those that are highly publicized in the media. Thank you."

Representative Ching rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations in support of H.B. 356– Relating to Child Endangerment.

"A young child who is killed or is injured as a result of being left unattended in a motor vehicle is a tragedy worthy of public attention and debate. I do not believe, however, even though it is such a tragic accident, that it should be criminalized. Education is the key.

"Prosecuting a parent who has suffered such a tragic accident is like 'rubbing salt into a wound'. In the case of putting a child in danger the parent suffers the worst punishment, namely guilt and remorse for eternity. That is punishment enough."

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'd like to, I rise in support. Mr. Speaker, numerous incidents in the last few years have raised awareness of the catastrophic dangers involved when children are left unattended in vehicles. The car could be stolen. The child may put the car in gear. Or the child could be kidnapped or sexually assaulted. Especially with the level of drug use in our State, you never know what might occur. Even if the timeframe is relatively short, it is still dangerous. Take for example the following story dated February 16, 2005 from the *Maui News*.

> A 2-year-old Lahaina boy who was left alone for a few seconds in a parked pickup truck managed to put the vehicle in gear, causing the truck to move forward and hit a woman and a building, police said.
>
> "He was alone in the truck for maybe five seconds," said Lahaina patrol Sgt. Ricky Uedoi, who was among officers responding to the 12:46 p.m. accident Monday at Anchor Square. "Within a couple of seconds, the boy somehow managed to get the truck in gear."
>
> The red Dodge extended-cab truck had been parked in front of Pay Day Hawaii in the business complex on Papalaua Street when the boy's mother went to an upstairs office to pay a bill, Uedoi said.
>
> He said the boy was in the truck with his father, who took the child out of his car seat in the back after he started crying.
>
> The truck was in the park position with its engine on when the father stepped out to give the mother some money, leaving the boy in the truck, Uedoi said.
>
> He said the father was around the corner, 20 to 25 feet away, when the truck moved forward five to seven feet into the building, hitting an employee from a nearby business who was taking trash to a bin.
>
> The woman was transported by medics to the hospital, Uedoi said.
>
> No customers were in Pay Day Hawaii when the truck rolled into the building, damaging a window and the front door, and blocking the door, Uedoi said.
>
> Uedoi said the boy would have had to press on the brakes to activate the shifter and get the truck into the drive gear.
>
> "That's the youngest driver I have ever encountered in an accident," Uedoi said.
>
> "It underscores the necessity to watch children in unattended vehicles, especially if you have the motor running," Hirata said. "It also underscores the purpose of keeping them in the car seat.
> "You can't leave kids unattended in cars, even for a second. Things happen. It could have been real tragic."

"Things happen. It could have been really tragic. This bill would also require applicants of driver's licenses to be tested for knowledge of the issue, as well as vehicle leasors to display the information via stickers on cars. We're not trying to criminalize parents with this, but

we want them to realize the dangers. I just want to ask all of you three questions. Would you leave one million dollars in your car? Would you let your kid play with a loaded gun? Then why leave a child alone in your vehicle? Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. In my previous employment with the former speaker, Representative Lee, I did quite a lot of research on this topic. And it's amazing how many instances there are where leaving a child in a car for even a few seconds has tragic results. I think the most important part of the bill is the educational aspect of it that has to do with when you apply for a driver's license. Just being reminded that it doesn't take very long for a child to be hurt or killed. I mean, not very long at all. Just a matter of seconds. And I think this is an important bill and I hope we pass it today. Mahalo."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker. May I vote with reservations and request written comments on this? And the reason why I'm still supporting this bill, Mr. Speaker, is because there is an educational component to this, which I think is very important. Those situations the former speaker from Mililani was talking about are really tragic, unfortunate accidents. I can envision myself as a parent going from one side of the car to the other side of the car, around my van, and something unfortunate like that happening, although I'm very careful, when I do leave them unattended for a couple seconds, going from one door to the other. It does concern me that you're criminalizing parents."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations. This bill establishes a motor vehicle violation that prohibits leaving a child unsupervised in a motor vehicle. I like the educational piece of this bill. The reservation is with criminalizing caring parents. There was an instance where an infant just fell asleep after a very difficult time of crying. The mother ran into the store and could see her child through the window the whole time. Unfortunately bad things can happen in a very short period of time. This applies to any child under the age of 12. The reality is that some kids are already tasked with caring for their younger siblings at this age."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 356, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Sonson voting no, and Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 875) recommending that H.B. No. 714, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 714, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 876) recommending that H.B. No. 1406, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1406, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the protection of minors from the harmful effects of drugs. However, I vote yes, with reservations, because HB No. 1406, H.D. 1, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Bertram voting no, and Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 877) recommending that H.B. No. 1306, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1306, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support. I just wanted to make a few comments that this measure properly allows for the additional administrative and civil penalties of up to $50,000 for securities violations against the elderly. Overwhelmingly, the majority of the elderly want greater protection against this crime and this is the practical, simple solution to implement. The measure makes sense for ourselves and our families. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I also rise in support of this measure. This is the Kupuna Protection Act and I request my remarks be inserted in the Journal," and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. Hawai`i's k*upuna* are one of our greatest resources. They provide us with wisdom, education, love, and their experiences. They raised many of us into the people we are today. As such a valued and treasured resource, they also deserve the greatest protections. This bill looks to add penalty enhancements for securities violations committed against elders to prevent people from trying to take advantage of our elders.

"Statistically, many of them are a part of the 'silent generation' and the 'baby boomers'. The 'boomers' are coming into the age where most of them are being targeted for financial scams. They are being targeted because, as a generation, they hold an estimated $8.5 trillion of assets to invest. Those savings and assets are attracting the attention of con artists and other violators of securities laws. They are especially targeted because they have the money.

"As opposed to many of the bills we see, this one is practical, simple to implement, shown to be effective in other contexts in Hawai`i, and will not incur additional cost to the public.

"Besides *kupuna* being deserving of this protection, these kinds of crimes are especially reprehensible because *kupuna* are often no longer working and expect to live off of savings and these investments, which they have accumulated over a lifetime. Investment fraud could leave many of our elders destitute and forced to re-enter the workforce. Mr. Speaker, our *kupuna* earned this time to retire and should not have to work unless they want to.

"There is also an intergenerational consequence of these kinds of securities crimes. The number two reason for saving, after retirement, is to leave an inheritance. Investment fraud robs seniors of the ability to provide for their families and leave an inheritance.

"Imagine how you would feel if you lost your life savings to some kind of securities fraud, and now you could no longer leave an inheritance to your offspring, and in fact, now you had to rely on them to take care of you. This is just wrong, it must be stopped, and this bill will be a huge step forward to protecting our k*upuna* and showing them the respect they deserve. Thank you and I urge all my colleagues to support this good bill."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"I'm standing with reservations. Mr. Speaker, like the previous bill that we just discussed, Stand. Com. Rep. No. 873, this measure uses an age to measure the person's ability to deal with certain situations. We're talking about 62-year olds, but say nothing else. We're just using age. Just because the person is age 62 and above, we're saying this person is incapable of taking care of his or her self. If you were somewhat being targeted, this particular person or anyone 62 and older will have enhanced penalties. I think age should not be used.

"Instead we should maintain a policy to keep age out and just use maturity or ability as a better measure. We're going to be dealing with a lot more bills inserting age as a measuring stick. I don't think this is good public policy because, look around. There are people here who are 62 years old. Obviously they don't need protection. Or any special protection. They're entitled to the same protections as everyone else. They should not get any special protection just because they're 62 years old."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1306, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 879) recommending that H.B. No. 1721, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1721, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the protection of emergency medical services personnel. However, I vote yes, with reservations, because HB No. 1721, H.D. 1, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Emergency Medical Services workers serve a public need and face a high level of risk in the line of their duty. In fact, at our hearing, the Chief of EMS for the City and County of Honolulu stated that they've already had a number of serious injuries to their paramedics and it is inherent in their line of work.

"This measure will provide EMS workers with the same protection that police officers, firefighters, bus drivers, prison guards and teachers already have. For the foregoing reasons, I ask that Members support this measure. Thank you."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Very brief comments in support. On call, about two months ago, two of our emergency medical services personnel had a gun pulled on them. They were taking care of an individual in a family that was having a mental health crisis. They went about their business, just kind of pushed through it and hoping they wouldn't be shot. And they weren't, but it was a very harrowing experience. I think they'll appreciate this bill. Thank you, Mr. Speaker."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I rise in support of H.B. 1721 -- Relating to Violence against Emergency Medical Services Personnel, which increases the penalties for violence or threats of violence against emergency medical services personnel.

"The emergency medical services profession has grown and evolved into a very unique blend of public safety and medical care. Personnel are placed in danger everyday due to the nature of their work. The epidemic use of "ice," weapons of mass destruction, gang and domestic violence etc. has added a myriad of new challenges for first responders. These workers get sent to "unknown type of calls," domestic abuse cases and irate people who want to prevent their work from getting done and they are unarmed. Emergency personnel are not equipped nor trained to combat against violent attacks.

"It is imperative that our laws work to protect everyone, including those who work to serve and help others. In our society, people who are employed in certain types of jobs, such as police and firefighters, are given special protections because they serve a public need and because they face a high level of risk in the line of duty. For the same reasons, health care workers should be given similar protections."

Representative Yamane rose to speak in support of the measure, stating:

"I'm standing in strong support and I would like the words of the Representative from Kalihi and the Chair of Health entered into the Journal as my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Manahan rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"Our emergency medical personnel constantly expose themselves to job hazards. In treating people without knowledge of their medical history they may be exposed to blood-borne and airborne pathogens. In treating people who may be intoxicated or under the influence of narcotics, our emergency personnel may face irate and unreasonable personalities and occasional threats of physical violence. In order to protect our personnel and encourage others to pursue emergency services career, we must offer some modicum of safety for this essential workforce. This bill will bolster employee confidence in their safety, resulting in a working environment that allows them to do their jobs in an efficient and professional manner."

Representative Tokioka rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to stand in strong support of standing committee report 879 House Bill 1721, H.D. 1.

"Everyday we read and hear about the violence and crime in our communities, most of them are related to drugs, specifically ice. When our women and men in the service of emergency medical response risk their lives everyday to keep us alive this is the least that we can do to support them. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"I'm in strong support and I'd like the comments of the Representative from Kalihi to be entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1721, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 881) recommending that H.B. No. 154, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 154, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support efforts to stop driving while intoxicated. However, HB No. 154, H.D. 1 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the Judicial Branch and county police departments.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the counties get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 154, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 882) recommending that H.B. No. 160, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 160, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I'm going to be speaking in opposition to this. I voted for this all Session because I do believe people deserve second chances. But just thinking about it more, I thought about what kind of people may be out on the streets as a result of this.

"Basically, what this measure does is it establishes an application process which a person who is convicted of multiple DUIs may request reinstatement of the privileges of a driver's license and registration of any vehicle which were revoked for life by the Judiciary. Specifically, those whose record shows three or more prior alcohol enforcement contacts, or drug enforcement contacts during the ten years proceeding the date of the license revocation.

"Basically it allows a person after ten years of having their license revoked to, possibly get it back. I'm just a little concerned. I re-read the testimony from the Honolulu Prosecuting Attorney which stated that in 2005, over 51% of the traffic related deaths were because of alcohol. And I'm very concerned about that. The Prosecutor reminded us in his testimony that recognizing that impaired driving has resulted in needless death and injury to the public, the State had passed laws which require the lifetime revocation of driver's licenses for persons who have been found driving impaired three or more times within a ten year period.

"We believe this is sound policy given that drivers with prior convictions are overrepresented in fatal crashes and have a greater risk and have a greater risk of having a fatal crash and possibly hurting innocent victims. We also believe if the people are permitted to request a reinstatement from previously imposed lifetime revocation it would impair the deterrent effect of lifetime revocation. The threat of an absolute lifetime revocation was intended to make it clear to the people who choose to drink and have been previously found to be driving impaired, that they could not and should not continue to drink and then drive.

"The Honolulu Police Department said these are the same drivers who continue to drive after being convicted. They continue to drive drunk after being convicted, endangering everyone on the road. Just in light of all the recent traffic related incidents, I think that maybe ten years is not enough time. If they're having three of more convictions within a ten year period, and that's what causes them to have their license taken away, I think a ten year break after that may not be enough for these types of drivers. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this measure. Mr. Speaker, just some background. This particular measure came to me through the Church of the Nazarene in Wahiawa and also the Church of the Nazarene, State of Hawaii. This situation arose when one of their ministers, who had a prior addiction to alcohol and had several DUI convictions, went through a period of rehabilitation where he received counseling. He went to AAA classes and I think had remained sober for about thirteen years. He's been clinically

diagnosed and medically certified to be free from the substance abuse of alcohol.

"But because of the current law, Mr. Speaker, he is unable to obtain a driver's license. And that was even compounded further, Mr. Speaker, by having his wife, who was his driver, pass away about two years ago. So he was put into the situation of being unable to service his flock at his church. And because of that, well you can imagine the consequences there and the predicament it placed them in. Would he violate the law to try and take care of his membership? Or should he abide by the law and be unable to serve his flock? So that's how this thing came to me, Mr. Speaker.

"I think, Members need to understand that it lies at the Adult Driver's License Revocation Office whether or not to grant this. Furthermore, Mr. Speaker, this will be done on a petition by affidavit or a medical certification and documentation; that the person applying for this privilege to have their driver's license reinstated is clean and sober and doesn't have the effects of any kind of addiction, either drugs or alcohol.

"Mr. Speaker, I believe in the rehabilitation of mankind. I believe that people can change. And I think that this bill gives an opportunity to those who have demonstrated beyond any reasonable doubt that they have, in fact, changed and turned their lives around. And for this reason, Mr. Speaker, I hope this bill moves forward."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure, administrative license revocation. Thank you very much. I will point out that the Prosecutor said that Hawaii had 140 traffic deaths in 2005 and over 51% were alcohol related. I think we'll probably beat that figure this year. The Prosecutor points out that the threat of an absolute lifetime revocation was intended to make it clear to people who choose to drink and had been previously found to be driving impaired, that they could not, and should not continue to drink then drive.

"On the other hand, I will note that the Mothers Against Drunk Driving testified in support of this measure. And they have no objection in principle, to the idea of allowing someone with a lifetime revocation to reapply if they could fully and convincingly demonstrate beyond a reasonable doubt that they have earned a chance to do so. Unfortunately, they go on, the present bill contains a number of difficulties which would render it virtually impossible to implement, were it to become law. And the Administrative Driver's License Revocation Office has highlighted these difficulties.

"Mr. Speaker, this Office submitted six pages of testimony on why this would be extremely difficult to implement. It outlines some of the barriers that must be overcome should this bill go forward. Because it's six pages, singled-spaced, I will not request that it be inserted in the Journal. However, I will bring it to the attention of the Judiciary leadership to please pay careful attention to the problems that this bill presents. Thank you, very much."

Representative Ching rose in opposition to the measure and asked that the remarks of Representatives Marumoto and Pine be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I would like to enter a no vote and I would like the words of the Representative from Ewa Beach as my own, as well as additional comments. I too believe very strongly that people can recover and rehabilitate. And I believe in second chances. What this bill represents to me, though, and what I'm reminded of is that many if not most alcoholics would actually admit to be a recovering alcoholic. So what that means to me is whether or not you're ten or fifteen years down the line, free of the active alcoholism, that in a situation where there is a death in the family or something that's very hard, that the reason why you're called a 'recovering alcoholic' is because you may have the tendency to go back and drink.

"If you had a situation in your past where you had multiple convictions, then what happens in this bill, I think, it no longer becomes an accident should that person hit an innocent driver, or an innocent pedestrian because we just gave, with all their history, we just gave that particular driver the ability to go back on the road. And if they're, because they don't have a bill like this, they're going to break the law to travel around town, then that just shows that that person is not trustworthy of being on the road, because that is the law at that current time.

"I would also say that there are some bills where you would make a bill to address one situation. And there are some situations where you would do this. But in this situation, you are addressing one person at this moment in time at the sacrifice of possibly many people.

"Mr. Speaker, there are still modes of transportation that they can take. There's The Bus. They can get a ride from someone. There are different types of things. You can call the Handi-Van, or those types of things. A cab. We possibly will have a rail system soon. There are other ways of getting around, Mr. Speaker. So I stand in opposition to this bill."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with a couple of reservations. The previous speaker talked about alternatives to driving. That holds for Oahu. It certainly doesn't hold for my district.

"I'm an alcoholic. I've said that on the Floor a number of times. I've been alcohol free for 32 years. And I think people like me deserve to have a second chance. Forty years ago, my license should have been taken away a number of times. I know that. The only problem I have is, how does anybody know that I haven't had a drink for 32 years? I know. But I don't think anybody else can prove that. So that's my only reservation. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly, I wanted to counter some of the concerns that were brought up. First, I just want to say how it is that we would know that somebody is sober. On page 1, lines 12 through 18, it does require certification through a drug alcohol counselor. So we actually have to have some degree of testing and reliability to make sure that they haven't gone back.

"But more importantly, I think is actually subsection (d) found on page 2, lines 9 through 14. Basically what that's saying is we'll give that person a chance for a hearing. And at the hearing they have to prove by clear and convincing evidence, which under the civil standard is the highest standard you can have. It's almost like in a criminal case where you have to prove things beyond a reasonable doubt. It's a really, really high burden to prove.

"What this comes down to is a philosophical debate. Sometimes people want to have a 'cookie cutter' approach to justice. They want to say, 'I don't care what you've done in the past or how you may rehabilitate yourself in the future. If you do these violations a number of times, we'll give you this sanction, regardless.' But I think our justice system has always said, most of the time, we will try to give people a chance. And that's why we have things like the Paroling Authority.

"Even if you've committed the most heinous crimes, you still get the opportunity to come forward and try to prove that you're no longer a harm to the public. Most of the time you won't be able to do so because the burden is very, very high, as it is in this bill, and I think rightfully so. The burden should be high. You have to prove that you're not going to be a danger to the public. But I think at the very least, at the very least, a person deserves that chance and we shouldn't just be having a 'cookie cutter' approach to every single person and every single circumstance, when a case by case basis is actually the best way to deal with things. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"In support. I think the opponents of the bill made some very good points. We are talking about traffic safety and saving lives, and I understand that. In fact I introduced the bill that would not tolerate any alcohol while driving. Unfortunately, that bill did not pass, or did not come to the Judiciary Committee. However, there are safeguards built into this bill.

"One, the applicant has to be approved by a certified substance abuse counselor. They have to have no arrests or convictions whatsoever, in anything, whether it be alcohol related or not, for ten years prior to applying for this permit. They have to prove by clear and convincing evidence that they would not create an undue risk of harm to the public. And lastly, the ADRO can deny the request. They have the discretion to deny the request. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Awana, Ching, Finnegan, Marumoto, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

At 11:25 o'clock a.m., Representative Takamine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:25 o'clock a.m.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 883) recommending that H.B. No. 248, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 248, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am standing in opposition on this measure. The purpose of this bill is to repeal a ten-round capacity limit on pistols. And as I've stated in previous arguments on this matter before, there's really no need for our society to have a rapid-firing gun or semi-automatic weapons. Even, I think that when we use these guns or weapons, if you can't do it in one round, you might as well forget it. And I brought some statistics that show most gun owners … Not most, maybe some of the gun owners end up using it on their families. So I think this legislation is heading to the wrong direction, and that we should keep the legislation that we have now. Thank you."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in support of this bill. The federal government allows this now. And that's the way most of these magazines are made. And most of the people that use these are doing target shooting. Thank you."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In strong opposition to this bill. With the repeal of the ten-round limit, there's nothing to enhance public safety or the safety of our law enforcement people. It's just perplexing to me to understand why people need to shoot off more than ten rounds in rapid fire. Again, in strong opposition."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with some reservations. This law as it currently stands, prohibits the use of magazine clips with a capacity of over ten rounds. The bill would remove the provision on the use of such magazines. The current law provides protection from the use of large capacity firearms. HB 248 before us, addresses concerns that existing law is too harsh on law-abiding citizens who engage in sport shooting. HB 248 amends HRS 134 by removing existing prohibition of the use of magazines with over ten rounds.

"The bill, however, Mr. Speaker, is overly broad in its attempts to provide relief for sport shooters for it merely exempts magazines that are not recommended or manufactured by the manufacturer of the particular pistol. There was testimony before the Committee that I attended, Mr. Speaker. Those who are sport shooters are merely saying they need a magazine that can be competitive. They are not saying, 'We want every magazine that the manufacturer manufactures for this particular pistol.' So I think we should tame this down. It might just play out the other way."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Third Reading by a vote of 39 ayes to 10 noes, with Representatives Belatti, Berg, Cabanilla, Luke, Morita, Nishimoto, Rhoads, Saiki, Shimabukuro and Wakai voting no, and with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 884) recommending that H.B. No. 894, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 894, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker with reservations and short comments. Thank you, Mr. Speaker. I guess I would just like clarification. I don't understand the purpose of this bill. As I was reviewing the bill, it talks about giving a commercial license to those who are between the ages of 18 and 21, but the vehicles that they can drive are designated in sections 386-102B3 which is your basic driver's license vehicles. So I just don't know what this accomplishes in regards to commercial driver's license, except for in name. That you get a commercial driver's license, but you can't really drive anything that would be considered a larger commercial vehicle. Thank you."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"With reservations. Mr. Speaker, this is another bill that uses age as a measuring stick for abilities. I support a bill that would allow anyone that is qualified by taking the tests. It doesn't matter what their age is. This particular bill is for commercial driver's license. I think that the requirements, in order to apply for such a license, are too harsh. If you are in violation of State or local law that, for example, an illegal lane change, you can be ticketed for an illegal

lane change by just forgetting to put your blinker on. Anyone can make that mistake.

"If the person can pass a test, regardless of their age, at least above 18 years of age, they should be allowed to apply for a driver's license. These impediments that are in the bill make this sort of useless. What we're really saying to the people who are 18-years old and otherwise passing the test, or able to pass the test, that we really are just giving you this opportunity, but we don't want you to really apply for it."

Representative Waters rose to speak in support of the measure, stating:

"In support. The portion of the bill that the Minority Leader talked about, she's accurate. It's a Type 3 type of license. If you look at the back of your license, it's 'Passenger vehicles of any GVWR, buses designed to transport fifteen or fewer occupants, trucks and vans w/ 15,000 lbs. GVWR or less.' That's the license that we all hold. But if you're 18 to 21 and you want to drive, say, a tour bus that fits under this, or a delivery truck, you need a CDL. But you can't get one to drive a van that we currently have the power to drive. But if you're working for somebody and you're paid, you need a CDL. And this allows them to do that.

"The other thing is that the advocates of the bill told us in the Committee is that there's a shortage of drivers and this would help them out a lot. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 894, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 885) recommending that H.B. No. 1057, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1057, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I might note that in the Report, the Coalition for a Tobacco Free Hawaii and the Drug Policy Forum Hawaii opposed this bill. And I'm a member of the Maui Coalition for a Tobacco Free Hawaii, so I also oppose it."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition of this bill merely because this bill came to light with the insertion of the word, 'possess'. And I think this is too broad and too vague. I would be happier if I see it to be more descriptive. Possession by a minor. He could be carrying a bag for his mom, and that makes it a possession. He could be asked to carry a container and maybe he didn't know there was a cigarette there. This minor is now charged with it. I would be happier if they would add on a statement like, an open package would be considered possession. But right now I cannot support it because it's too vague and I think it needs more work. Thank you, Mr. Speaker."

Representative Yamashita rose to speak in support of the measure, stating:

"In support. Thank you very much, Mr. Speaker. The purpose of this bill is to deter minors from using tobacco products by making it unlawful for possession and use. Mr. Speaker, although we have much success with going after tobacco companies and point-of-sale purchases, Mr. Speaker, we need to also look, not only look at where the supply is coming from, but also demand. We need to address that by deterring minors.

"This measure will not address all, but if we can address just one, just one from every one of our districts, that's 51 less smokers in the future. Mr. Speaker, this is not the answer to decreasing smoking altogether, but it's just one other element. Thank you very much."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I just have short comments just in regards to the enforcement of this issue. I have some questions in regard to that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1057, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Bertram and Cabanilla voting no, and with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 886) recommending that H.B. No. 1058, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1058, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. This bill is meaning to discourage minors from buying, or trying to buy liquor and possessing it. We think we're really coming down on them. It criminalizes the use of false identification for the purpose of gaining entry to premises that sell or serve liquor, but then all it does is fine them.

"What we've seen is that it's more effective to have them lose their driver's license. 38 states have adopted 'use and lose' laws. While this bill, I think maybe it was in there in the beginning, but now it's just become a fine, getting larger and larger for subsequent violations. I don't know that they're arrested, but when they find them in possession. I think we should look to the other states and maybe when this bill goes over to the Senate, they will put the 'use and lose' teeth back into this bill.

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose to speak in opposition to the measure, stating:

"Just additional comments, in opposition. I do believe it started as a really good bill and unfortunately it does undermine the biggest deterrent for minors using alcohol, and that is taking away their license. We really hope that they'll be more stringent as this bill moves forward."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, this bill does not take anything away from the current law. All it does is it adds an option for Neighbor Islands, basically, because of the inadequate mass transit system. If you take away a driver's license from a minor, from someone who's under 21 on the Neighbor Islands, you might have other impacts that create other issues. I think that's unintentional. You still can take away their license, but the fine is

just an option to add some sort of stick at the end of the day. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1058, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Awana, Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

At 11:39 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 356, HD 2	H.B. No. 160, HD 1
H.B. No. 714, HD 2	H.B. No. 248, HD 1
H.B. No. 1406, HD 1	H.B. No. 894, HD 2
H.B. No. 1306, HD 2	H.B. No. 1057, HD 1
H.B. No. 1721, HD 1	H.B. No. 1058, HD 2
H.B. No. 154, HD 1	

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Mizuno introduced former State Representative Dennis Arakaki who was accompanying the members of the Okinawa-Hawaii Student Exchange Program.

Representative Takamine introduced the student members of the Okinawa-Hawaii Student Exchange Program and their Chaperones, Mr. Yoshikazu Matsubara, Mr. Yoshiichi Higa, and Ms. Riko Maeshiro. They were accompanied by Ms. Susan Saito, Department of Education Coordinator, and Mr. David Arakawa, President of the Hawaii United Okinawa Association.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 890) recommending that H.B. No. 777, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 777, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand with strong support on HB 777, HD2, Stand. Com. Rep. No. 890.

"Mr. Speaker, in 2001, this able body enacted the Hawaii Educator Loan Program ("HELP") to deal with recruitment and retention of public school teachers. HELP was a recommendation made by the National Commission on Teaching and America's Future Hawaii Policy Group that was comprised of all Hawaii's educational stakeholders including the then Chair of the Education Committee in the House of Representatives.

"HELP is a loan forgiveness program administered by the University of Hawaii College of Education which allows any student who attends the UH COE and receives his or her degree in education, and then teaches in the Department of Education for six consecutive years, to have his or her loan forgiven. In 2001, when the Hawaii Educator Loan Program was enacted, the Legislature appropriated $100,000 to this measure which benefited approximately 23 students who are now teaching in the DOE.

"This bill requests an appropriation to ensure that the Hawaii Educator Loan Program continues to bring students into the profession of teaching and to address the teacher shortage we are facing in our public schools. Accordingly, I stand in strong support of HB 777, HD2. Thank you, Mr. Speaker."

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill 777, House Draft 2. This bill will appropriate funds to the Hawaii Educator Loan Program. The program forgives student loans for those who choose to enter the teaching profession. This provides a great incentive for prospective teachers by reducing the cost of completing their teacher preparation program.

"By spreading out the loan forgiveness over a six-year period, the program ensures that the individual commits to staying in teaching for at least six years. This amount of time has shown to be the critical period after which most will stay. By increasing the number of qualified teachers in the DOE applicant pool, this program helps alleviate identified shortage areas in Hawaii's schools.

"For these and other reasons, I stand in support."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you Mr. Speaker. I rise in support.

"As we are all aware, Hawaii is facing a teacher shortage. Due to the high cost of living and lower pay wages, teachers are leaving Hawaii for other states. This bill assists in addressing this shortage.

"Many teachers assistants want to further their education in teaching. Currently, tuition charges are too expensive for those on a teaching assistants' income. The Hawaii Educator Loan Program will pardon student loans for those who choose to enter the teaching profession.

"Moreover, the programs requirement of spreading out the loan forgiveness over a six-year period will retain these new teachers in hopes that they will establish a connection to the school and the community. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 777, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 896) recommending that H.B. No. 150, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 150, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to disclose a potential conflict of interest, stating:

"I just wanted to stand up and say that I may have a conflict because I work for a homeless shelter," and the Chair ruled "no conflict."

Representative Pine continued in support of the bill, stating:

"And that this is a very good bill."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"The housing crisis continues to affect individuals and families across the State, resulting in rising rents and the loss of inventory of affordable housing.

"The plight and the number of homeless individuals living in the streets, beaches and parks increases daily adding to the "hidden" concerns of our community members whose access to beaches and parks are now limited due to health and safety concerns caused by overuse in the parks.

"Our public housing projects continue to be in need of repair and renovation. The inability of the public housing programs to complete repairs and renovations due to funding concerns only contribute to our housing problems.

"The urgency of the crisis in housing requires immediate State action.

"This bill appropriates funds to the Land Conservation Fund pursuant to Section 173a-5; Rental Housing Trust Fund established by Section 201h-202; Natural Area Reserve Fund established by Section 195-9; public housing repairs and renovations; continual operating funds for outreach and supportive services to homeless; operational funds for emergency and transitional shelters to maintain and enhance support services for the homeless population; operational monies for shelter, plus care grants which will enable all of these programs to implement services to accomplish these priorities.

"Your consideration and passage of this bill is important for the well being and development of quality of life experiences for our constituents throughout the State of Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 150, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 900) recommending that H.B. No. 1002, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1002, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This bill is set up to penalize speculators. The description is, 'Establishes an anti-speculation capital gains tax on net capital gains realized by a seller of real property.' And it has different taxes, depending on how long you hold the property.

"I'm concerned about this because if this bill was an enacted, this measure would send out a strong signal to investors that Hawaii is not a good place to invest capital, and there is a potential that the philosophy reflected in this proposal would be extended to other types of investments, whether it be real or personal property. In other words, if you make a profit, we're really going to tax the heck out of you.

"We have to be very careful about sending that message because without the influx of new capital, the potential for economic growth in Hawaii will become quite depressed. Thank you, Mr. Speaker."

Representative Pine rose to speak in opposition to the measure, stating:

"I'll be speaking in opposition to this measure. I guess what I'm concerned about is there are just a couple of questions, and maybe they can be clarified. First if the real property was held by the seller for less than 6 months prior to the sale, it will be 60 percent of the capital gains tax owed. It's held from 6 to 12 months, it will be charged 30 percent of the capital gains owed. And from 12 to 24 months, it will be charged 15 percent of the capital gains owed.

"I could be wrong, but it's my understanding that capital gains is not taxed on the sale of a house until after 12 months. So I'm just a little curious of why this calculation is set on those numbers. Basically, if your house is sold before 12 months, it's considered income tax.

"I'm just really concerned about this philosophy, that the speculators are the true cause of raising the cost of housing in Hawaii. I believe the true cause of high cost of housing in Hawaii is us. Government. It's been government that has prevented an easy permitting process for those who want to build affordable housing. I just heard yesterday, a couple of developers talking about how a friend of theirs is willing to build this affordable housing apartment complex for seniors. He has every single unit filled, but he's been waiting for such a long time to get the permits approved. And government can change that.

"I think this bill also assumes that those that are turning these houses are these big companies. But I can tell you, there's a lot of elderly people in my neighborhood that turn a house a year. And that pays for their medical costs and prescription drugs. I think this really assumes that this is the true cause of why houses are going up. But I tell you, there will be no speculators buying and selling houses if the local people of Hawaii didn't have such a high demand to buy these houses. So I think we really need to go back to the root of the true cause of why there's not enough housing in Hawaii. We obviously have a high demand by the local people. So let's build more houses and allow them to be built. Thank you."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I rise in strong support of this bill, which along with a number of my colleagues, was introduced as part of the House Majority Package.

"Mr. Speaker, how can you deny that speculation is not contributing to the increase in the cost of housing when neighborhoods in Makaha have homes that are selling for millions of dollars? And now property taxes for a lot of the local residents in those neighborhoods are as high as $400 a month. This bill is one of many that have been submitted to address our housing crisis. It targets the practice of real estate speculation, which is adversely affecting the affordability of homes. It penalizes, through a graduated anti-speculation tax, those who buy and resell real property within short periods of time, that is from less that six months up to 24 months.

"Your Committee on Human Services and Housing took heart to much of the constructive criticism and helpful suggestions made by those who testified in the public hearing. The current House Draft 2 again reflects that input.

"In response to the Department of Taxation, which noted that the original bill appeared to punish every home owner, regardless of whether the property in question was the primary residence, HD 2 adds language that new tax shall not apply to properties that qualify for the county homeowners' exemption. The Department further noted that the bill failed to consider military personnel and others who may have to sell due to unforeseen circumstances and this bill now has language exempting individuals who sell properties as a result of military relocation orders, as well as those who are compelled to sell a residence to a change in employment or for health reasons.

"The Hawaii Association of Realtors questioned why the sale of unimproved property was not subject to the proposed tax increases. They offered a scenario whereby an investor could demolish a property with existing improvements, evict the tenants and sell the vacant lot to avoid the anti-speculation tax. HD 2 addresses this concern.

"Mr. Speaker, I believe this is a good bill. It deserves the support of my colleagues and should be passed on Third Reading. Mahalo."

Representative Souki rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I wish to disclose that I am a realtor," and the Chair ruled, "no conflict."

Representative Souki continued in opposition to the measure, stating:

"Thank you very much. I wish to speak against this measure. First of all, I want to commend the Chair for coming up with a measure to assist in lowering the cost of real estate in the State of Hawaii, but I want to remind the Members here that the high cost of real estate in Hawaii is very complex and it's many factors that lead to the high cost of real estate. One is that only 10% of the land in the State of Hawaii is available for residential use. So you have a limited supply of land that's available for residential use. The forces of supply and demand take affect in an island state where you have a limited supply of land that's available and of course the price, correspondingly, goes up.

"Also, some of the laws that we have, in our intent to do good, in time will have unintended consequences. My good friend in the Land Use Commission who takes years, two, three years to get land re-designated. Then it goes to the counties and it takes a long time there too, years at times to get the land to be available for subdivisions. So as you're going to build your homes, the time has gone by, three, four, five years in the developmental process. And therein lies the problem. In the meantime, because of the scarcity of land that continues to go up, and the escalating price of materials where at one time you could buy a home at maybe $70 or $80 a square foot, now it's like $200 a square foot. The cost of materials.

"So there are a lot of factors that enter in here. Sometimes when we look at a simplistic view, it may only continue to hurt the real estate market. So on this basis, I speak against this. However, I want to continue to commend the Chair of Housing as she tries to alleviate and provide more homes for good people of the State of Hawaii. Thank you very much."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. First, I'd like to incorporate the comments of our Housing and Human Services Chair as if they were my own. And I would like to also echo the Speaker Emeritus in terms of commending the Chair of Housing and Human Services for really digging in deep and trying to address this very complex problem, as has been stated.

"There's no simple answer to the issue of affordability. As you know, it's a theme of our Majority Caucus this Session, to try to come up with ways to try to make it easier for people to live in our State and to get by, and to rent or pay a mortgage, and feed their children. And this is one of these efforts. There's multiple ways to approach it. We're going to be looking at a permitting bill also, that deals with fast-tracking. We've heard some people talk about that. But this bill is to try to get at the speculation problem.

"There's no doubt that speculation does have some kind of impact or contribution to increasing the price of housing. And just some statistics, Mr. Speaker. In the last year that Coldwell Banker did a study for the national average of housing across the country. In 2005, the average price of a home was about $400,000. A little over $400,000. In 2005, that same year, the most expensive market in the State was in Kihei. And the average price of a home was $745,000, Mr. Speaker. And the most affordable, lucky for us, is in urban Honolulu. It was just $737,000. That's in 2005. Just to compare.

"It tells you what the residents of our State face, every day, just trying to live here. We all experience it. In 2006, a family of four renting an accommodation in Honolulu, would have to earn, Mr. Speaker, $111,000 or 55% more in income to maintain a lifestyle similar to that on the mainland, which is about $72,000. That's a lot of money for a family of four to earn in order afford a home in this State. Something needs to be done about that.

"In 2005, we ranked number 10 out of 47 states surveyed with the most expensive housing markets. We're down, number 47 out of 50 states for the least affordable housing market. So there are people who are troubled by this because there's no doubt that this legislation will impact people who speculate in our housing market. And we know many of those people. They're our friends, they're our neighbors, they're the people who vote for us. And the Chair of Housing of and Human Services has tried to address many of their concerns.

"She has, as mentioned, put in three exceptions. One is if you sell the property for affordable rental housing. That makes sense. The second one is that if you change your place of employment or for health reasons or unforeseen circumstances. This is a very broad loophole for people who have to sell within this time period. And finally, if your home is condemned or destroyed and you have to sell it, you are not penalized by this capital gains tax. But perhaps most importantly, Mr. Speaker, the real catch-all is that it doesn't apply if you have the homeowner's exemption. That means all of us here in this Chamber who live in the homes in the districts that we represent, would not be impacted should we sell our homes within the period that this bill attempts to regulate.

"What it does address, for example, are these high rise condos that you see going in Kakaako. And we've all read the stories in the paper in the past couple of years about people who purchase units prior to the building even going up and then 'flipping' them in the interim period, for many hundreds of thousands of dollars more. That has an impact on the overall housing market, driving up the price of housing for everyone.

"So I think the Chair of Housing and Human Services is on to something. It is difficult because it will impact people who want to speculate. But it is a part of the solution to this problem that's not going to go away unless you make these tough decisions. Thank you very much, Mr. Speaker. I hope everyone supports this bill."

Representative Bertram rose to speak in support of the measure, stating:

"I'm rising in strong support for this bill. As mentioned earlier, my district is where the highest rates for houses are established. And there is a perception, in spite of the complexity of this issue, in the public when people do want to simplify it, that 'flipping' is a major part of this. Everybody has their story in Kihei about houses that have been 'flipped'. And so just to go back and say we did do

something that addressed a concern and constructively, in spite of all the loopholes as has been mentioned, I think it's going to be a great thing for our Legislature. Thank you."

Representative Pine rose to respond, stating:

"Just a rebuttal. I just want to mention that those houses or condos or apartments in Kakaako would not be able to be 'flipped' the way they were if the demand for them weren't so high. If there were more housing allowed to be built for the people of Hawaii. And I do empathize with the cost of living in Hawaii, because as a legislator, I don't get paid a lot either. I decided to work for a homeless shelter, so that was two double things I did for society, but I'm having a great time.

"But the greatest thing that government can do to lower the cost of living in Hawaii is to lower our taxes. And I don't think that a lot of people are willing to take that stand and realize that it's government that's causing a lot of our problems of affordability in Hawaii. And government can also choose to not raise the property taxes on those families in Makaha. So they can do that as well. And again, we're not really addressing the true problem and that's the problem that we don't have enough housing, and we're not doing enough to provide more housing for the people of Hawaii to keep the prices down. Thank you."

Representative Shimabukuro rose to respond, stating:

"Mr. Speaker, I just wanted to add, again in support, that the benefits realized from this bill will be deposited into the Rental Housing Trust Fund. And speaking of government, the Administration, the Hawaii Housing Finance Development Corporation, Housing Hawaii, which is a big consortium of private and non-profit housing advocates, they all support increasing the funding to the Rental Housing Trust Fund with big infusions. And this bill, Mr. Speaker, would directly support that effort.

"The Rental Housing Trust Fund, as we know, it supports building rental housing. Primarily for those at 60% or less of the area median income. A much, much direly needed source of housing stock. I think if you can step back and look at the bigger picture, this is supporting something that that everybody from both sides of the aisle is saying is needed, which is more money into the Rental Housing Trust Fund. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I do have some comments please. Thank you, Mr. Speaker. In opposition. You know, the Majority Leader was speaking on something and it made me rethink the bill, but then I went back to read it. Let me just go to my point. A lot of these types of things aren't intended. There are unintended consequences. And a lot of types of these things will go to, in my opinion, increasing the cost of housing. When you increase taxes, or increase costs for the seller, a lot of the times it will go towards the buyer. The cost of the purchase of the property.

"So when the Majority Leader was saying this was addressed in the bill, I went to look for it and I hope I'm reading it correctly. Section 1, where it says at the end in subsection (e), it says, 'This section will not apply to properties that qualify the seller for a county homeowners' exemption.' So what that means is if the seller is not a homeowner, it would apply. Correct? But what we're talking about is if you sell it to a buyer that qualifies for a homeowner's exemption. I think that was the intent. But if I'm mistaken, then I'm mistaken.

"But the other thing that I'm talking about is regarding increasing pricing. Take a look at this, and if I understand it correctly, we also have 6 to12 months, you have a 30% capital gains taxed owed. And then it goes, before that it's 60 months. Sometimes, what happens in these types of situations, is they say, 'I'll wait'. That's a huge increase from 60 to 30. The unintended consequence, I think of that is that you won't have that sooner on the market for someone to move into. And for someone, it happens a lot, then you would be looking at actually slowing down the process of getting available housing out to the residents of Hawaii. So I hope I'm reading that correctly and please correct me if I'm not. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just very briefly, just to counter. I think maybe some of the people are missing the point. This was actually a tax assessed against the seller. Because what we're trying to prevent is people that are just 'flipping' houses and trying to make immediate money, fast cash, off of the real estate market. And really, it is a tax paid by the seller. For people to try and say that because they're going to be paying more taxes, the prices will increase, that's missing the whole point.

"When you sell a house, you look at comparable prices in the marketplace. The marketplace drives what is the price you're going to sell the house at. What happened recently was people started pouring in a lot of houses and 'flipping' them very, very fast at high, high prices. And buyers really had no choice because the inventory was low as other people have said. So you had to not only accept the demand as it was, but you even had to put in a 'plus' offer. So you not only accepted it at whatever the price was, but you actually put in a little bit more money. And that just continued to escalate the market prices.

"That is what we're trying to prevent. Because there are definitely people out there, strictly for investment purposes, that have been 'flipping' houses. And if, as we have in this exemption, you are a homeowner, you've qualified as a homeowner, then that will not apply to you. But if you are purely doing it for investment purposes to try and make fast cash in six months or less, which many, many people did. What they did was they bought houses, tore down the house, reconstructed, put in improvements and then sold it at about 100% profit. And that is the type of thing that we're trying to curtail. Because the longer we can keep people from putting the house on the market, the less likely it is that the prices will start escalating at an exponential rate that we cannot control.

"Really, really briefly, I just wanted to counter some of the criticisms as to our Land Use permitting process. I think we in Hawaii have to realize that land is a very, very finite resource. Yes, we have our State Land Use Commission to look at certain functions, like whether there's going to be proper infrastructure. And if the Representative from Ewa is saying that we need more houses and there's a lot of land out there, and they don't care if there's enough infrastructure out there, they don't care that we don't have sufficient roads. They don't care that we don't have sufficient educational facilities out there. Then let's build it out there. That's where a lot of the land is. But that's what the Land Use Commission does. They make sure that there's the right amount of infrastructure.

"The counties have a different function. They have to make sure that the land used for a subdivision is safe. There is proper drainage, there is going to be proper sewage. All of those things have to be taken into account. So they are totally different functions. Ultimately, we can look at a comprehensive approach to try and coalesce them all together, but as of yet we haven't done so. I think that's the approach we should be looking at, which I think is something that is entailed in a bill coming up, but that's for another discussion. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Still in opposition and just additional comments. If I was mistaken, I thought I heard the Majority Leader speak about it applying to the buyer, so I was just talking about that particular situation. However, I have been in mortgage financing in my past career before being in politics, and I've got to tell you,

investors when they come in, they're looking at the bottom line. What is the net amount that they are going to make?

"So some of these things come into play, but really the root problem is, like what the Representative from Ewa Beach was talking about. The root problem is the lack of housing. So if people can scoop up houses at a certain amount and because of the demand, and people want to buy houses to live in, and people are investing, and the want is there and people are still paying the money, the amount of the purchase of the property will go up because of that demand. So all I think she's saying is that there is a root problem in regards to the amount of available housing that's out there that drives the property from going up. Thank you very much."

Representative Green rose to speak in support of the measure, stating:

"Tiny comments, Mr. Speaker. I think the root problem is that people from the mainland are scooping up property, and 'flipping' it, causing all of us to have an impossible market to buy property in. And that's why we have this bill."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Green be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1002, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Meyer, Pine, Sonson, Souki and Ward voting no, and with Representatives Cabanilla, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 901) recommending that H.B. No. 1076, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1076, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. The purpose of this bill is to establish the Affordable Housing Inventory Protection Board to gather information on the supply of and demand for affordable housing in Hawaii to better understand Hawaii's affordable housing crisis.

"And within the body of the bill, there's appropriated funding for years 2007-2008 and 2008-2009 to establish this Affordable Housing Inventory Protection Board. The amount of that, the dollars, is blank so I don't have the information as to what it started out at, but it could be a substantial amount in order to do that. And I'm voting no because we already have a Department, the HHFDC that is tasked to do this. And a 2006 study is currently being finalized. So this appears to be a duplication of efforts. Thank you, Mr. Speaker."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This measure came out of a task force, an ad hoc committee that consists of various people, developers, people from non-profit type industry that thought that this type of advisory commission would be a very vital and good thing to add to increase our affordable housing stock. And so I believe it's worthy of further discussion and I think that we should move this bill forward. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with just a short comment. In recent years, the Legislature has recognized that to address the affordable housing crisis, meaningful systemic changes needed to occur at our State housing agency. And we need an effort to try to eliminate duplicative processes and expedite the time to review the State Rental Housing Trust Fund applications. The Legislature enacted Act 196 in 2005 and repealed the Rental Housing Trust Fund Advisory Commission. I think what we're trying to get at is just being able to streamline the process. And this looks like it will be going backwards and actually adding a layer."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1076, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Ching, Finnegan and Meyer voting no, and with Representatives Cabanilla, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 902) recommending that H.B. No. 1095, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1095, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 907) recommending that H.B. No. 1844, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1844, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. This bill calls for the State to purchase the land under an affordable housing project in Kaneohe, very close to my district, one that I'm very knowledgeable about. The Kulana Nani Housing. There are 160 units there and it's very conveniently located close to the heart of Kaneohe town.

"I just feel like this is a little premature. That's a concern. Also, I know that the price tag will be in the multi-millions of dollars. And I'm a little concerned because the bill is only addressing the purchase of the fee property under the building. I think this should be looked at more carefully and if the State's going to buy it, perhaps buy the whole thing, including the physical assets of the apartments, the parking lot, the entire improved facilities. Thank you, Mr. Speaker."

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of Stand Com. Report No. 907, HB 1844 HD1."

"Mr. Speaker, I want to thank the Chairs of both the Committees on Housing and Finance for hearing this important measure. During the 2006 Legislative Session a similar measure was brought before this Chamber and adopted."

"Mr. Speaker, the purpose of this bill is to preserve the inventory of affordable rental housing on Oahu by:

1) Directing the Hawaii Housing Finance and Development Corporation to negotiate with Kamehameha Schools for State acquisition of the property underlying the Kulana Nani apartments in Kaneohe, Oahu;

2) Authorizing HHFDC, if necessary, to acquire the property through its power of eminent domain; and

3) Appropriating an unspecified sum for land acquisition.

"Mr. Speaker, the Kulana Nani Apartments is a City owned, HUD financed, privately operated low-income housing project on land owned by Kamehameha Schools. Presently the City and County of Honolulu has a long-term lease with Kamehameha Schools, which expires in 2048. The Kamehameha Schools has stated in the past that they desire to sell the land under the Kulana Nani Apartments. The City and County of Honolulu has also stated that they wanted to sell the Kulana Nani Apartments. These two statements have raised fears in the residents of Kulana Nani Apartments. Their fears are justified. When the City and County of Honolulu sells the Kulana Nani apartments and the HUD loan is paid off, the new owners will be free to do whatever needs to be done to make their investment profitable. It is a foregone conclusion that the residents of Kulana Nani Apartments will have to search for new low-income residences and many may become homeless.

"Mr. Speaker, in its final report, dated January 2006, the Joint Legislative Housing and Homeless Task Force expressed concern that the inventory of affordable housing rental units is at risk of being reduced. Affordable rental housing projects built in part with government subsidies have been offered for sale at market prices in anticipation of the expiration of income and regulatory restrictions encumbering the property. The problem of low-income families and the homeless to find affordable rental housing is not limited to only West Oahu; it is also a problem on the Windward coastline of Oahu, as well as a Statewide problem. The very active real estate market we have today has only added to the plight of low-income families and the homeless to find affordable rental housing. Here is an opportunity for the State to help remedy the shortage of low-income housing in Windward Oahu.

"Mr. Speaker, this bill directs the Hawaii Housing Finance and Development Administration to immediately initiate negotiations with Kamehameha Schools to ensure the State's acquisition of the Kulana Nani property. The bill further states that one hundred percent of the housing units on the property shall be retained in perpetuity as affordable housing for households at or below the income restrictions for rental housing units on the property as of the effective date of this Act.

"Mr. Speaker, for this purpose I urge my colleagues to support Standing Committee Report 907, HB 1844, HD 1. Thank You."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1844, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 908) recommending that H.B. No. 435, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 435, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of Stand. Com. Rep. No. 908, HB 35, HD 1. This issue of moped use is a serious one in the district that I live in. We have many reports of mopeds that are retrofitted, basically at all hours of the night, going through roads and streets in my district. But what is most troubling to me is the many reports that these, maybe four or five mopeds that go in a gang that go at about 3:00 a.m. are related to the graffiti and drug use of my district. And the fact is that so many of the fatalities of mopeds are also related to retrofitting.

"There is not much right now, in this quality of life issue, that is being done to lessen the amount, or to try to discourage it even. I think it was reported in the newspaper, that a customer had gone to a store that sells mopeds and the actual store offered to retrofit the moped. Not to say that all stores are doing this, and not to say that all of the stores that are doing this whole thing, and are to be blamed, however this is a major problem. And every time my people hear this noise, and when I am reminded that it's related to people easily going and perhaps delivering drugs or doing graffiti at 3:00 a.m. in the morning and that there's absolutely nothing to take care of this issue.

"It is most troubling for my district and so we independently did put out a survey and we got back that many of our constituents want to see something done. So I applaud the introducer of this bill and I hope that it will pass."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 913) recommending that H.B. No. 1328, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1328, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the deterrence of insurance fraud. However, I vote yes, with reservations, because HB No. 1328, H.D. 1, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1328, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Takai and Thielen being excused.

At 12:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 777, HD 2	H.B. No. 1095, HD 1
H.B. No. 150, HD 2	H.B. No. 1844, HD 1
H.B. No. 1002, HD 2	H.B. No. 435, HD 1
H.B. No. 1076, HD 1	H.B. No. 1328, HD 2

The Chair then announced:

"Members of the House, we will take a 43 minute break and reconvene at 1:00 o'clock. Lunch is in the Majority Caucus room. So you've got 43 minutes for your lunch and we'll reconvene at 1:00 o'clock."

At 12:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:12 o'clock p.m. with Vice Speaker Karamatsu presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 918) recommending that H.B. No. 1006, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1006, HD 2, pass Third Reading, seconded by Representative Caldwell.

Representative Takamine rose to speak in opposition to the measure, stating:

"Mr. Speaker, I appreciate the effort that has gone into this measure, however I will be voting against it. I would ask permission to include remarks in the Journal," and the Chair "so ordered."

Representative Takamine's written remarks are as follows:

"Mr. Speaker, I rise to speak against H.B. 1006. While I appreciate the work that has gone into this measure, I cannot in good faith support it. First, Mr. Speaker, let me say that my district was one of the harder hit areas, by the October 15th Earthquake and its consequences.

"It helped me to realize how critical quick action becomes, when families are placed into jeopardy by a major disaster. It also showed me how fortunate we are to have the Civil Defense people, both at the county and State levels that we have now. In so many instances and at so many levels, I am very appreciative of the kind of response and support that was extended to many, many of my constituents.

"Second, the experience, along with previous situations where we have dealt with major disasters, have taught me that this is one area where quick action is probably even more important than a sustained effort (though both are important). Therefore, any structural change that would create additional bureaucratic concerns is probably not moving in the right direction.

"I also feel that the continuous self-evaluations of the procedures used, that the Civil Defense goes through, is a helpful means of attempting to plan better for the next emergency. Finally, I have seen tremendous response from an agency that over the years has probably not received the kinds of resources that would allow it to respond in an even more meaningful way. This is probably one area that we as a body, could help to address.

"With these concerns Mr. Speaker, I will be voting against the measure."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some serious reservations. This bill will establish the Office of the Director of Disaster Preparedness Commission and it also appropriates funds to fund the Community Emergency Response Teams on Oahu, Hawaii, Kauai and Maui. We have a pretty good system through the Department of Defense and the Civil Defense.

"Even though there's many good intentions that make up the system, this bill will create a huge problem in regards to overlapping duplication and conflict with the present system. The present Civil Defense system is a product of over 50 years of experience and it works and I'm just concerned with all the time, energy and expense that will go into this. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I'd like to include some written comments and I have a couple of things to say. Our disaster preparedness plan for the State is a complete disaster. We created the Civil Defense in 1950 and its charge then was to protect us against enemy attack. If you go back and read the statutes, very little is ever said about preparing us for events and that is our huge weakness. The mindset of Civil Defense is to prepare us to respond to events, not to prepare us to mitigate loss from events. And that is the big difference. And it troubles me when somebody says that everything's okay.

"October 15th showed us it's not. After the earthquake in the South Pacific, we sent school kids home without their parents' notification. We had absolutely no idea what we were doing. I've had EMS people come and see me in support of the bill to say they are completely unprepared. They didn't have a clue what they should do on October 15th. And they are the first responders.

"People have asked me what all this will cost. What did Ka Loko Dam cost us? What did the flood in Manoa cost us? What did the flooding in Windward Oahu cost us? What did the floods in South Kona cost us? What did the fiasco at the Honolulu and Kona airports cost us?

"To give you an example of the difference between being prepared to respond and being prepared: Ka Loko Dam. Being prepared to respond is to go out and find the bodies. Being prepared means that we would investigate the structural integrity of that dam to make sure that it didn't break and that we would adopt land use policies that would keep people from being living at risk downstream of that flood. There are people living on Hamakua Coast, and one person walked away from a $900,000 home.

"We need to do several things, whether it's through a Disaster Preparedness Commission or some other form, that is not the issue. The issue, to me, is that there are several things that we have to do. The first thing that we have to do is to identify impact zones for all natural disasters. Again, we are the only State in the nation that has every single one, and I have them all in my district. We have impact zones for tsunami. We have them for lava. Even the impact zones for tsunamis are somewhat questionable with the rising sea levels. We don't have them for hurricanes. We don't have adequate flood zones. All these things are issues that need to be addressed.

"And then we have to get into land use policies, policies to mitigate loss from these impacts. And everyone should know where they live, what possible natural disaster might impact where they live. In my view, we cannot wait any longer to address these very important concerns for the safety of the people of the State, and I urge your support. Thank you."

Representative Herkes' written remarks are as follows:

"Mr. Speaker and Members, I rise in support.

"Members, there was opposition to this bill from Civil defense, DAGS and the Mayor of Hawaii County and I would like to address some of those concerns.

"First, we are the only state in the nation that has every natural disaster, although Alaska may have some glacier issues that we do not have. The Big Island has 7 of the 9 climatic conditions that exist

on the globe. As a remote island state we are very vulnerable and exposed.

"Climatic conditions in the world have changed and the impacts on Hawaii should concern us all. There is strong evidence of global warming. In Hawaii this means rising sea levels and more energy in the ocean that surrounds us to fuel hurricanes. As our population base expands we are putting people in areas of the state that may make them vulnerable. I heard a report yesterday that some islands in Pohnpei have disappeared due to rising sea levels.

"We have researched our statues. In 1950 we created the department of Civil Defense. Under statue they are to protect us and to respond to enemy attacks. There is little said about disasters, both natural and man-made, and most of what is said talks about "response".

"Most of what I have heard on this issue, both in testimony and in private discussions has dealt with "response".

HB 1006 HD 2 deals with "Disaster Preparedness". In preparing this state, its residents, visitors and belongings for both natural and man-made disasters.

This bill creates a "Disaster Preparedness Commission" of seven members appointed by the Speaker, Senate President, Governor and the 4 county Mayors. It also calls for the Governor to appoint an "Executive Director" subject to Senate conformation.

"The Commission and its Director shall:

1. Work with the Office of State Planning to develop accurate flood zone maps for this State.

2. Define natural hazard impact zones for the State. It makes little sense to harden buildings for natural disasters unless you have some accurate information about what natural disaster you are dealing with. The Governor's bill to provide for "safe rooms" ignores this basic fact.

3. Land use policies need to deal with hazard zones. Let us not put people down stream from major dams and reservoirs and along the cliffs of Hamakua.

4. Make "appropriate recommendations" concerning building codes.

5. Work with the appropriate agencies and parties to ensure emergency power for major State airports. What happened on October 15 cannot be repeated. Just appropriating money for generators shows lack of research. What other alternatives are there? Can the Honolulu airport link to Hickam or a sub in Pearl Harbor?

6. Recommend tax credits for retrofit of structures.

7. We are short 150 sirens. Civil defense argues that it takes years to obtain the necessary approvals. This is a basic health and safety issue. We need an emergency plan to put sirens and other warning devices in high-risk areas on a priority basis. And, sirens that have an independent power supply.

8. Work with appropriate agencies and organizations to expand radio, video and other means of communications to areas of the State not served by these mediums.

9. Ensure the integrity of our dams and reservoirs.

10. Develop disaster plans for patients in hospitals, care homes, etc. The most vulnerable among us.

11. Protect our ports of entry from emergency access by foreign flag ships or aircraft.

12. Develop a plan to deal with the social problems that emanate from disasters.

13. Develop alternative transportation routes in the event that major roads are inaccessible.

14. And work at any other issue that may threaten Hawaii's residents, visitors their possessions and pets.

"I have been asked what this is going to cost us? What did the Ka Loko dam break cost us? What did the flooding in Manoa, windward Oahu, South Kona and Kau cost us? What did October 15 cost us?

"Civil defense has an emergency appropriation bill in for our consideration in the amount of $24.9 million for their activities on October 15. How much would we have saved if we had prepared for the events listed above? I think it would have been significant. We cannot afford not to be prepared.

"Members, I have had a number of people call me or come in to see me in support of this plan, but are reluctant to testify because of their positions.

"Most troubling to me was a visit from two medics from Oahu EMS that said that they are totally unprepared. They also said that they do not have sufficient operating funds. Some ambulances have over 200,000 miles. These are the first responders, and they are not prepared.

"The major criticism of this bill is that it is a duplication of efforts. How can you be duplicating something that is not being done? I have read the Hawaii County disaster preparedness plan. It only deals with hurricanes and the Big Island has not had one for over 100 years. No mention of floods, lava inundation, tsunamis or earthquakes.

"This Commission is charged with working with various groups including State Civil Defense. Civil Defense's mindset is to prepare for response. We need change in mindset from preparing to respond to preparing before the event strikes our shores.

"There is a simple difference between "response" and "preparedness". Let's use the Ka Loko dam as an example. "Response" is picking up the bodies. "Preparedness" is dealing with the structural integrity of the dam and changing land use laws to prevent homes being built down stream of the dam. If we take this approach there are no bodies to pick up.

"Members, we cannot afford to wait. Our citizens deserve no less than for this State to be prepared. Please support this bill."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support with some brief comments. Mr. Speaker, as an CERT volunteer, I think it's very important that this measure continues to move along. We need these programs. This program is supported by FEMA and has the support of and was encouraged by our current President. The CERT program, Community Emergency Response Teams are there to assist first responders, to train professionals and everyday people on how to coordinate and help respond and be responsible community citizens, Mr. Speaker. So we need this more active involvement and I urge all our Members who support our communities to vote in support. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"I rise in strong support, as well. May I have the comments of the Representative from South Kona entered into the Journal as if they were my own? And just a couple of brief comments. You know,

much of what the Representative from Kona said, all the things that we need to do, is simply just beyond the purview of Civil Defense. If you look back at their Charter, it's to be responders. To concentrate on response. How do we get emergency workers and supplies to these areas. To address this big myriad of issues go far beyond response. It's simply putting too much on this agency.

"I'd like to bring up the point of wildfires, which my district is impacted by yet again. We've have had little county helicopters dropping the equivalent of somebody spitting on a camp fire to control this fire. Meanwhile, there are Chinook helicopters supposedly in Honolulu that could dump 25 times more water on the fire sitting there. This is where we need preparedness. Where's the plan? Had the fire been attacked with the big Chinook helicopters at the very beginning, we would not have had local people pulled by helicopters from the burning homes. We wouldn't have had thousands of acres destroyed.

"I ask the Members to look at the consequences beyond the disaster. This failure to prepare has now left denuded hills of West Maui, and with the first rain we have, we're going to have tons of precious topsoil in the ocean destroying our reefs and basically eliminating any agricultural use of these lands.

"So, I just hope the Members of this body can look at the fact that this isn't an attack on Civil Defense. It's not a judgment upon their mission. It's simply a recognition of the fact that the task of disaster preparedness is a multifaceted one that expands beyond all different forms of government and that it is something that we, as a body, need to finally address in this proactive way. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just rise with very slight reservations. I'm all for this bill and I've recognized the hard work of the introducer of this bill from the Big Island. You have been very consistent in regards to disaster preparedness. I just wanted to say that if there's one thing that has been positive, if there is a positive from the recent disasters, floods and earthquakes, is that it has been brought to the attention, not only of the Legislature, but of the public.

"So now, from my understanding, Civil Defense has been working on these types of issues for a long time, and when the public's temperature is right, and when the Legislature's temperature is right, then we can start to move on some of these very important issues, and that's what we're seeing this Legislative Session where a lot of money and time and effort is going into this disaster preparedness.

"So, I'd just like to say that I think that this is a good idea. The one thing that we just have to make sure that we address is how do we help with the overlapping and duplication or conflicts that might present itself in the system as it is, and maybe try to iron out some of those things. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1006, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Hanohano and Takamine voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 925) recommending that H.B. No. 853, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 853, HD 2, pass Third Reading, seconded by Representative Caldwell.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to H.B. 853 Relating to Public Work Projects, hours and wages violations. Under the current law, contractors have violations imposed according to the investigation. This means that if the Department investigates the complaint of a laborer who worked on three different projects for the same contractor, and the Department found multiple offenses, who would be issued the first notice of violation? It might have been a multiple offense with the same contractor, but it would be one violation.

"But under this bill, it would require that a single violation count as a separate violation for each project when the DLIR finds a contractor has failed to comply with any part of Chapter 104. This measure will restore a perceived disadvantage to law-abiding contractors by imposing a penalty structure that suspends a contractor from bidding on State jobs for three years for just one investigation. This will limit the pool of contractors and drive up bid prices for State projects.

"The intent of the current law is to only bar from State contracting those 'bad apples' who repeatedly over time, keep violating Chapter 104. Basically, people who make an honest mistake currently have a chance to correct their error. This bill would take away this forgiveness and hammer half those contractors without any warning. For those reasons, I am in opposition."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker. In strong support. We've heard a lot this Session about making housing more affordable and trying to help people live in our State. This bill is all about ensuring that the hard-working men and women in our State are paid a prevailing wage. Last Session we argued a lot on 'three strikes'. I consider this a 'three strikes' bill. It does this against white collar violators of law.

"What we're talking about here are contractors who have multiple violations and yet are only penalized as if they had one violation. This encourages the repeat violator to continue to violate because the penalty remains the same. We have prevailing wage laws to enforce and make sure that our hard-working men and women are paid a prevailing wage so that they can afford to live in our State, and we should do all we can to make sure those laws are followed. For the most part, Mr. Speaker, almost every contractor follows a prevailing wage. There's a few bad actors that take advantage of multiple violations in order to cut cost and underbid those when they bid on a project, know they are going to be paying a prevailing wage.

"That's what this is all about. It's about enforcing the law, about cracking down on those who don't pay a prevailing wage, and not encouraging people who want to go ahead and violate again, and again, and again. It's kind of like those people who we see with a parking ticket on their car. Once they get the ticket, they say, 'Let's leave the car there because we're not going to get another ticket for a while,' and deny other people the use of that space. Only this is far worse because denying people the right to make a living and they have to live in the State. Thank you very much. It's a good bill Mr. Speaker and I hope Members will vote to support it."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am in opposition to this measure and it's not because I feel that we should not get paid prevailing wage. Most contractors are paying prevailing wage because of the shortage of workers and everybody is willing to pay top dollar to get the best workers. This has to do more with violations and if there's one violation, I think all the contractors on other projects he's working on also are cited. So it's almost unfair that if there's a violation on one site, that it's assessed on all sites. It really raises the cost of that project.

"Actually, we pursue special purpose revenue bonds to save money because the financing is a little bit cheaper. All it really does, what we're really doing is conferring the status of the special purpose revenue bond on this type of financing so that the buyers of these bonds somewhere may be back in New York, acquire lower interest rates because it is tax free. It has lower financing cost to the developer here. It may be a school like Sacred Hearts or Kawaiahao Church, and we definitely need these types of bonds because it saves us money.

"We are conferring the status of public works in this measure and the following measures, Stand. Com. Rep. Nos. 925, 926 and 927, and in doing so, I really question whether we're doing the right thing because I don't think these private projects should be classified public projects.

"In my mind, if we take this step, I'm wondering whether, since it's a public project, do these developments have to go through the EIS process. Do they have to go through a procurement process? Will they have to name the State as an additional insurer? I don't know what other laws they would come under as public projects. We better be careful of what we are wishing for, and I think that if it truly becomes a public project, we certainly should exempt them from some of these other onerous laws that would raise the cost of the development of housing and various projects that we would like to undertake. Thank you very much."

Representative Meyer rose, stating:

"Thank you, Mr. Speaker. I'm a little confused. I think the previous speaker from Waialae was maybe speaking on Stand. Com. Report 926. I wanted to respond to the Majority Leader on Stand. Com. Rep. No. 925, and that's with the hours and wages violations.

"I had the pleasure of serving on the Labor Committee with the Majority Leader and am somewhat familiar with this, but I don't think that we have rampant problems in this area, and that's why I think this bill is going too far.

"The Department of Labor implemented a random review program for Chapter 104 that went from January 1, 2005 until the end of 2006. They had made 228 investigations of randomly selected contractors working on public works projects, in addition to completing 46 complaint-generated investigations. The amount found during this two year period was 228 random investigations which got $7,600 back to 20 employees, while the complaint investigations generated $286,000 for 148 employees. Clearly, the bulk of contractors are in compliance with the law. For the same period, there were 18 with one notice of violation issued and employees were promptly paid. I think that this bill is too much and too onerous. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"In support, Mr. Speaker. This has nothing to do with law abiding contractors. This is actually a bill to catch those who are really cheating the system. This bill addresses the manner in which the violation of prevailing law are counted. Currently an employer may be in violation for prevailing wages by underpaying employees simultaneously at several different sites. Consequently, the number of workers adversely impacted by the same contractor may be high. The bill attempts to limit the scope of prevailing wage violations by holding employers responsible for violations at each project.

"H.B. 853 amends HRS 104-24 by changing subsection (d) to read as follows: 'A first, second or third violation refers to each project in which the department finds that a contractor has failed to comply with this chapter.'

"The current law is too broad and permissive in that it counts violations as each investigation, thus an employer could potentially be in violation by underpaying multiple workers at multiple sites. Now this bill, H.B. 853, strikes the reference to the investigation and requires a violation to refer to each project where the employer is engaged in a public contract.

"So, H.B. 853 now serves as an incentive for employers to comply with the prevailing wage law because this law will subject employers to penalties for each project. Whereas under the existing law, an employer is only penalized for one violation despite potentially being in violation at many different projects. The adverse effect on workers is minimized by this measure because the manner of calculating what a violation is has been narrowed and protecting a greater number of workers. Thank you, very much."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 853, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 926) recommending that H.B. No. 861, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 861, HD 1, pass Third Reading, seconded by Representative Caldwell.

Representative Meyer rose to speak in opposition to the measure, stating:

"I'm rising in opposition to this measure. This bill will expand the application of the prevailing wage to workers at private construction sites funded by special purpose revenue bonds, as the next bill does, too. It's just an effort to take jobs that we never considered public jobs performed by the State and the counties, but built by private parties. The net effect is that fewer companies will apply for SPRBs because of this new law and the cost of these projects will increase.

"It's just kind of scary to think that we talk about a level playing field, and yet right now, labor shops get most of the work for public works. And now by extending public works to things that were never public works projects before. We're raising the cost of those things and making it so that fewer people can take on those constructions jobs and at a time when construction is doing very well and they have a shortage of construction workers, we are sort of lumping everybody under one umbrella and giving the citizens of the State of Hawaii almost no opportunity for competitive bids. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ching, Marumoto and Meyer voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 927) recommending that H.B. No. 863, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Caldwell and carried, the report of the Committee was adopted and H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ching,

Marumoto and Meyer voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 1440, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Caldwell and carried, the report of the Committee was adopted and H.B. No. 1440, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 934) recommending that H.B. No. 750, as amended in HD 1, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 750, HD 1, pass Third Reading, seconded by Representative Caldwell.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with great reservations on this bill. Mr. Speaker, in American culture, one of the taboos is to ask somebody point blank, 'How much money do you make?' And what we've got in this bill is the same question, vis-à-vis, the tax return that will be allowed to be seen by the Ombudsman.

"Those of you who know the Ombudsman, realize that half of his cliental, more than half of his cliental are the prisoners. They are the ones who want to get justice and use his Office quite frequently. This bill raises some serious privacy concerns and usually when this Floor debates a bill, it has a logic to it or a need. When in the Finance Committee, I questioned and asked the Ombudsman how many people actually need, or do you need to have access to the tax returns. And he hesitated and said, 'Well, there's probably a dozen or more', but it wasn't very many. And it's not only him, but also all of his employees are in this building. They are going to have access to all this confidential information.

"So, I'm really wondering why that is needed and why we should have a few people with access to something that is very, very, very confidential in our society. The Department of Taxation agrees that it's not needed. In fact, he does and can get access to tax returns now, vis-à-vis a nexus, with the Department of Taxation directly. It seems to be working in Hawaii for such a small number of people that we have to create this potential, I don't want to say 'tempting' people to do bad. But it's a temptation to not do good if we give people, and particularly all the people in his Office, access to tax returns. I don't think it's good public policy and that's where my grave reservations lie. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Awana, Marumoto, Meyer and Pine voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 935) recommending that H.B. No. 155, as amended in HD 1, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Caldwell and carried, the report of the Committee was adopted and H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 937) recommending that H.B. No. 351, HD 1, as amended in HD 2, pass Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 351, HD 2, pass Third Reading, seconded by Representative Caldwell.

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just have reservations with short comments on Stand. Com. Rep. No. 937. I think it's time that we take a really good look at this bill in regards to the red-light cameras. The thing is just the fairness in this bill. We are talking about rental companies and giving them an exemption. I guess, it's not an exemption. We've giving them a lesser amount to pay, which is like $15 for a car that is owned by them, that is fined under the program, and the company is unable to provide the name and address of the customer who is responsible for the violations.

"I'm sure like any other registered car owner, what you're doing is if there is a picture that is being taken of someone driving your car through a red light then it becomes the responsibility of the registered owner. I haven't had the time to take a look if this actually will go to if there's a stolen car, or you know, those types of things or other situations that might be similar to that. A teenager might have used your car. Someone driving to pick up something, or those types of things. So, that's my reservations, although I do support the bill."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I would like to register a vote with strong reservations on 937, H.B. 351. It's one of those things that sort of strikes at you when you see it. If you look at it, the language says that it prohibits the summons from being issued without a clear picture of the driver. So if you can picture yourself being almost all the way across the intersection and you hide because the camera is going to get you.

"There's going to be a lot of people who are going to block the camera and probably hit the person in front of him. That sort of struck me now as I was crossing Vineyard coming to the Capitol. I actually experimented and it's quite dangerous. So, that's my reservation."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 351, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 1:43 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1006, HD 2	H.B. No. 1440, HD 3
H.B. No. 853, HD 2	H.B. No. 750, HD 1
H.B. No. 861, HD 1	H.B. No. 155, HD 1
H.B. No. 863, HD 1	H.B. No. 351, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 938) recommending that H.B. No. 357, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 357, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, Hawaii ranks eleventh nationally in pedestrian deaths, and first in deaths among pedestrians age sixty-five or older in 2006. Although there have been programs implemented such as DOT's "walk wise Hawaii" and the intensification of the right-of-way law, numbers prove the continual need to establish innovative methods to decrease our pedestrian death rate. This bill establishes a two-year pilot project to test crosswalk safety improvements. The project shall test enhancements such as raised bumps to reduce speed, flashing lights embedded in the pavement to warn drivers of pedestrians, and enforcement programs by police, prosecutors, and others.

"The amount of federal highway funds used for pedestrian safety programs amount to a diminutive one per cent or less. Most of the funds are spent on widening roads and boosting traffic flow. Mr. Speaker, the time to start paying more attention to pedestrians who walk the streets rather than the infrastructure itself is long overdue. And don't think this is limited to senior citizens. Some of the most dangerous and congested situations exist around our schools. Evaluating such solutions as "the walking school bus" will help as well. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 357, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 939) recommending that H.B. No. 497, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 497, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations on H.B. 497, H.D. 2. Mr. Speaker, this bill earmarks 2% of federally eligible money from the State Highways Fund for bikeways, bike paths and bike lanes, and specifies the elements of their development and maintenance. While I support the intent of this bill to enhance the bicycle facilities in the State, I have reservations because this measure will divert funds from the State Highway Fund.

"As we know, it is critical that our State Highway Fund remain intact in order to continue building roads that are critical to our infrastructure needs, particularly in growing communities, such as in the Second City. Moreover, Mr. Speaker, to divert State Highway Funds to benefit the bicycling community is nonsensical, as bicyclists do not pay any money to the State for the privilege of biking.

"Before the Finance Committee, the Hawaii Bicycling League was asked whether they pay any fees to the State for biking. It was revealed that the cyclists pay registration fees to the county and not to the State. As such, there is no nexus in which to divert funds from the State Highway Fund, specifically for bike paths and lanes. As I support the intent of this measure, however, I stand with reservations. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. May I ask that the comments of the Representative from Kapolei be entered in the Journals as if they were my own, and add to the words, 'Second City' the words, 'and West Maui', be placed in my remarks.

"I appreciate the intent of the Representative who introduced this bill because, you know, bikeways are important. But just to add a short comment to that, this would actually hurt the bicycle community. Right now, the federal DOT moneys that are given to the State can be used for a myriad of bike related things, such as bike paths, bike lanes, shelters and additional related biking facilities.

"Under this bill, however, the State DOT will be 'hamstrung' putting money only into bike lanes and bike paths. So, the irony is this could hurt the biking community. So, in addition to the comments of the previous speaker, I would hope the Members of this body could also look on the fact that this may have, one of these bills of unintended consequences. Thank you,"

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support. Just to clarify that the funds that are in the general fund comes from our income taxes, so, everybody pays for transportation improvements A transportation plan that only pays for cars and roads, is not a true transportation plan. It's exactly the reason why 10 people are dead so far this year. The most safe type of walking and biking is separate from the roads. It is not with the roads. And this is trying to address a need that has been unaddressed by the Department of Transportation.

"Basically, the Department of Transportation supported this bill. They weren't against it. So, I don't understand why anyone is against this. We are asking just for parity. All transportation forms need to be funded actually equally, if we're actually going to have any kind of a transportation form that includes walking, biking, automobiles and transit. Unfortunately, we have gotten way overboard towards the automobile. It says, 'federally eligible funds'. So this isn't going to take away anything.

"And it might also remind folks, at least on Maui, we have one bike path, one single bike path, since the ten years that ISTEA was first passed, that actually mandated that funds go to walking and biking facilities, so I don't see how it could hurt. We haven't gotten anything, let alone bike stands or anything else. So what we really do need is some kind of commitment that some moneys are going to be expended. This is such a *manini*, small, itty-bitty, teeny, tiny step. So, I really encourage the Members to support this and let's see where it goes from here."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd like to be in support with slight reservations. I actually agree with a lot of what the previous speaker just said, the speaker from Maui – Makena, Wailea, Kihei. But I do agree that we need to make a statement about bikeways. I'm a 'wanna-be' biker for many years now. I bought myself a bike and to tell you the truth, I don't trust drivers or myself out there on the roadways because it's a spooky thing trying to ride your bike from my home in Aiea to the Capitol. I attempted to do that a couple of times. The one thing, though is, and it becomes very difficult to do that when cars aren't really taking you seriously as a mode of transportation, and it can be very dangerous.

"I think the other thing, though, with this particular bill, is for people like me that really want to start biking, there are really no areas to get better at biking. I can't just go and take it to the road because I'm too slow. And I would also say that I heard many comments on the radio that there's a need for another form of getting from the West side all the way into Pearl Harbor where there's a lot of military work. They are used to physical exercise, and they want to see a bike path that would help them get from the West side through to Pearl Harbor or into town. But there is no avenue for them to do it safely riding their bike. So, I do support this. One small reservation that I have is that I just don't like bills that say that you have to spend a certain amount. We should give the DOT some flexibility."

Representative Lee rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of Stand. Com. Rep. Nos. 939 and 938 and I'd like to insert written comments for both. If I could just say that one thing that bicycles do is prevent more cars from being on the road and for that reason they provide a service to all of us."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure.

"Mr. Speaker, bicycles are not only for recreation and exercise, but have become for many the mode of transportation to and from work. With the growing number of vehicles on our roads and the increase in the obesity of our citizens, we should encourage the use of healthy alternatives.

"This bill, Mr. Speaker, earmarks 2% of federally eligible moneys from the State Highway Fund for bikeways, directs the Department of Transportation to have a public involvement process and allows for the maintenance of the bikeways. Again, this is 2% of the federally eligible moneys, not 2% of all federal moneys.

"This is a good bill and I encourage my colleagues to vote in support of this measure. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure, and I would like to discuss the Leeward Bikeway Plan. The Leeward Bikeway Plan has been on the Oahu Metropolitan Planning Organization for funding for the last ten years. However, for the reasons that were stated by my colleague from Kapolei, it hasn't been funded. The Leeward Bikeway Plan, Phase 2, is supposed to start from Pearl City all the way to Kaena Point in Waianae. However, like I said, in the last ten years, the funding has been bypassed all this time. It's been said that the State cannot afford to give us a reversible freeway, bridge or underwater tunnel to go to the Leeward side. So, could we please have a bikeway instead? Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, but I truly do support the intent of this measure. Traffic congestion, as you know, has been a real problem in our State, and improving our bikeway system will entice more people to use bikes. It also has a number of benefits. First of all, it will keep our community members physically active. And you don't have to be 18 with a driver's license to use a bikeway. In addition, it's pollution free, environmentally safe, and it may also reduce traffic congestion.

"I do have a concern regarding federal funds. This measure will earmark two percent of the eligible federal money for bikeways and that may be taking away from highways, but I do support the intent. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 497, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives McKelvey and Nakasone voting no, and with Representatives Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 942) recommending that H.B. No. 936, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 936, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Bertram and Marumoto voting no, and with Representatives Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 943) recommending that H.B. No. 1646, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1646, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition to this measure and want to say a few remarks on behalf of small business. This bill requires the small businesses, the 'mom and pop-ers' to become sign makers instead of business people. What it does is if you sell pesticides, you've got to put up a huge sign to make people aware of it, which in itself is good. But if we're going to do this, we should be fair. Those people who sell cigarettes, also the 'mom and pop-ers', don't have to put big signs, 'Smoke this and you'll die'. But if you look at the label, it says, 'Smoke it and you'll likely will get lung cancer and you could die.' If we're going to do this, we should be fair.

"I think the pesticide labels that Chevron and Ortho and all the others have put together are sufficient to warn the customer. But take the small business guy, which you know, Mr. Speaker, is part of the Small Business Caucus, this is going to be a burden on them and I think we need to stand up for them. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. This is all about public safety and protecting the consumer. In the past year, we've heard of different news stories where people have not known how to handle and store certain pesticides, malathion being one, in which they've had to evacuate two elementary schools, and in one case had to hose down the kids in a special hazard kind of situation and watch the children for a couple of hours. This is the kind of thing we're trying to avoid.

"It's not a joking matter, and it's not an anti-business matter. In fact, what we're talking about are small index cards that are prepared by the Department of Ag that stores would post telling people how to handle and store and protect themselves, their neighbors, and school children and others from being damaged or hurt by the mishandling of these pesticides. It's any easy thing to do and the Department of Agriculture is on board. They are willing go work with businesses in getting these cards out.

"It's not a huge sign that's going to block the selling of the products. It's a small sign the size of an index card with some very

simple warnings on it. That's what this is about. I hope you will support it. Thank you very much."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of the measure. We have to remember that a lot of times when people store pesticides, the labels may become unreadable and people want to find out how to use it or properly dispose of it. They need that information, so the point-of-sale is a good place to provide that information, whether it's a website or a phone number that people can contact, the consumer can contact. So, this seems an appropriate way of getting information out. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, I think the previous remarks are well taken, except my point was, let's be fair. If we put a sign on every dangerous food, chemical, inhalant, we would turn our small businesses into museums. It would be like political conventions that we're all familiar with. I think there has to be some limitations. If we start with this one, maybe the slope is going to be, well, what's next? It may be paint. It could be who knows what. The point is there are labels that are stuck on rather well, and if you're in a school and you happen to have your label gone bad, the likelihood of you having this three by five card that you bought months, perhaps, years ago. There's a least the probability that that is going to be practical. So, my point is, let's be just, and let's be practical. Thank you. I stand in opposition."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, in support with reservations. This bill requires retailers of pesticides to post signs informing consumers of the proper handling, storage, and disposal of pesticides and information regarding poisoning from the pesticides. The advocates for this bill state that it won't be that big of a deal for retailers to post the index card sized signs. My reservation is that if we truly feel it is a danger, we shouldn't be posting a small card that will be ignored by consumers."

Representative Ching rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I rise with reservations in support of H.B. 1646--Relating to Pesticides, which requires that retailers of pesticides provide information through posted signs on the proper handling, storage and disposal of all pesticides for sale, and authorizes the Department of Agriculture to develop rules related to the size and placement of the signs.

"I support the intent of this bill. As stated by Sandra Lee Kunimoto, Chairperson on the Board of Agriculture, household pesticides are responsible for most of the pesticides poisonings in and around the home and are also responsible for many hazardous situations in the community. By providing more information at the point of sale, some of these incidents may be prevented. However, the labeling, sale and use of pesticides is highly regulated by the Environmental Protection Agency. Before a warning label is approved, EPA reviews and approves the label language in order to inform the purchaser as to the product's safe and allowable use. This bill proposes a method of warning that may conflict with that label and prove confusing to the purchaser."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1646, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Awana, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 965) recommending that H.B. No. 1577, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1577, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising now in support because I have some friends in Kona and they are coffee growers, but I feel conflicted because in looking at what the opponents of this bill have to say, I'm concerned. Agriculture in Hawaii has suffered from pests and disease infestation causing enormous losses. Biotechnology is a tool to combat crop threatened insects and diseases. The University of Hawaii scientists say that restrictions put on this research will put the crop at risk. It takes quite a while to come up with something and this bill puts a moratorium on doing anything in the way of tests on coffee for five years. I just hope no horrible new pest or invasive species comes on the scene within that time. Thank you."

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support. Mr. Speaker, the purpose of this bill is to maintain the unique brand identity and market value of Kona coffee. By prohibiting the introduction of genetically modified coffee in Hawaii in the market, while at the same time permitting research on genetically modified coffee in an environmentally secured facility. So, therefore, Mr. Speaker, I stand in strong support of this measure. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1577, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED COFFEE," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Marumoto, Sagum, Sonson and Tokioka voting no, and with Representatives Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 966) recommending that H.B. No. 1479, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1479, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESSES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 2:02 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 357, HD 2	H.B. No. 1646, HD 2
H.B. No. 497, HD 2	H.B. No. 1577, HD 1
H.B. No. 936, HD 2	H.B. No. 1479, HD 2

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 970) recommending that H.B. No. 1950, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1950, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations and short comments. This bill amends Chapter 201H. The housing development provides provisions to allow county councils to approve certain expedited government housing projects with modifications, and to extend the county and Land Use Commission approval or disapproval window for these projects. I know that we are looking at ways to streamline, and in the previous versions it was talking about going from 45 to 90 days. I realize that there are some struggles for some counties. But in regards to making that process longer, I thought we were trying to move towards streamlining, so being that those amounts are blank, I'll just be with reservations for now."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1950, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 972) recommending that H.B. No. 31, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 31, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. This bill is about international trade, something that Hawaii needs very, very, very, very badly. It's something that it seems as though our intent is to trip it up by this particular bill because we want to throw it down and we want to put ourselves front and center.

"Currently, a proposed Trade Agreement is being negotiated by our U.S. Trade Representative. It then is passed on to the states and generally, states like Hawaii where we import 95 percent of everything, we only have the export of tourists and we have small amounts of agricultural products. We need all the trade we can get. And to have us put our foot in the aisle, it seems to be counterproductive, because this has always been in the Governor's Office to deal with or without the approval of the Legislature. I don't know of one trade agreement, Mr. Speaker, that the Governor has sold us down the river on. And I'm sure this Governor is not going to sell us down the river, so why do we need this bill?

"We need trade and why do we want to make it even more difficult, particularly when we're off Session, and we have to come into Session, or to wait and postpone trade when we're not in Session, I just don't see the logic of it, so I'm going against this. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just to answer the questions of why we want to do this. What I would refer to is the Procurement Code, Chapter 103D, Part 10, which basically sets forth all of the preferences. If you don't really understand the Procurement Code, what the Procurement Code is about is how are we going to spend the government and taxpayers' money. What we want to do is make sure that we do so fairly. We want to make sure that we get the best pricing, that we get the best value. But there are times when the best value may be something that's subjective. And that's why we have put in our statutes preferences. Sometimes what we want to actually do is buy Hawaii products first, or we want to buy recycled products first. Or we want to make sure we have reciprocity. Or that they are software development businesses, or tax credit preferences. So I would say that that's why we need to stick by our Procurement Code.

"The problem with trade agreements is, it opens up our potential market for anybody out there and they don't necessarily have to follow our preferences anymore. It's actually a run around and circumvention, if you will, of the Procurement Code. And what we, as policymakers, have said, we want to establish as the priorities for spending of taxpayers money. That's the danger when it comes to International Trade Agreements because it basically trumps any and all other types of transactions, even those that we have put in the Procurement Code.

"So the question is whether the Governor unilaterally, without the Legislature's approval, should be able to say, 'I don't care what the Procurement Code says. I want everybody out there in the free world to be able to compete.' And sometimes that's okay, but sometimes it's actually not, especially in this day and age when we've seen the conglomeration of international corporations go across the world. We need to make sure that our preferences, for Hawaii businesses, for recycled products, stays intact. Thank you."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. Strong agreement, as well, and in strong support. Just to correct the first speaker, the Representative from Hawaii Kai. There seems to be a misunderstanding or misperception about exactly what this bill does. This bill does not say that the State of Hawaii has any say, frankly, in international trade agreements. In fact, we have very little say. But what we do have some authority over, some input, is over the procurement section of the International Trade Agreement. And this is why the U.S. Trade Representative has asked governors across the nation to sign on to the procurement section of International Trade Agreement bills.

"You know, the dirty little secret about International Trade Agreements, Mr. Speaker, is that it's not just about trade. It's about services, it's about investment. It's also about procurement. This only reaches into the procurement section and I would dare say that there is no state in the United States that allows a governor unilaterally to decide what the procurement policy of that state should be.

"Mr. Speaker, we see bills come up from this Floor time and time again as mentioned by the speaker from Aiea about how and why a state should purchase goods and services. Governors do not have any authority over that.

"Secondly, Mr. Speaker, even the National Conference of State Legislatures, the NCSL realizes the importance of having the Legislature have some say as to whether or not the state should be bound over to the procurement section of International Trade Agreements and they merely asked the U.S. Trade Representative to send copies of letters of governors that signed on their states, to relevant legislative leaders. The USTR refused to do so. Now, I find it shocking that a federal agency cannot even let legislative leaders across the country know whether or not their individual states have been bound over by a trade agreement, so we have to do it this way.

"Lastly, Mr. Speaker, at the federal level, fast-track authority notwithstanding, any trade agreement that is being considered by the federal government has to go through the Congress. This should be no different. I do believe the people in the State of Hawaii deserve to have a full and fair hearing through the legislative process as to whether or not any Trade Agreement out there, again, related to

procurement, should be or could be to the best benefit to the people of this State. We should make that decision. Do we want to trade with a nation that imposes child labor? We might say yes. I hope not. But we will have the opportunity to do so. Do we want to have trade with a nation that somehow binds us over and then the policy such as buying local, or having recycled goods and all the rest of it would be to our detriment. Again, we should have a say as to whether or not this happens.

"Last year we sent up a bill to the Governor. As you know, it was vetoed because in her veto message it said that we are encroaching to the authority of the Governor. I believe that is a mistake. I believe that the Legislature is the place where we discuss procurement. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Awana, Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

At 2:10 o'clock p.m., Representative Luke requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:12 o'clock p.m. with Speaker Say presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 973) recommending that H.B. No. 1290, pass Third Reading.

At this time, Representative Luke offered Floor Amendment No. 2 amending H.B. No. 1290 as follows:

SECTION 1. House Bill No. 1290 (RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND) is amended to read as follows:

"SECTION 1. The legislature finds that there are many individuals living in Hawaii who have significant personal, emotional, and economic relationships with another individual, yet are prohibited from marrying. Therefore, in 1997, the legislature passed legislation that recognizes that the benefits and rights hither to available only to married couples should be made available to couples in a reciprocal beneficiary relationship.

The State's employees' retirement system has since recognized the rights of state employees in reciprocal beneficiary relationships. However, when the State's Hawaii employer-union health benefits trust fund was created in 2001, the law omitted reference to reciprocal beneficiaries.

The purpose of this Act is to ensure parity between unmarried couples and married couples by extending the benefits provided under the State's employer-union health benefits trust fund to reciprocal beneficiaries."

SECTION 2. Section 87A-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

""Reciprocal beneficiaries" or "reciprocal beneficiary" shall have the meaning ascribed to them in section 572C-3."

SECTION 3. Section 87A-1, Hawaii Revised Statutes, is amended by amending the definitions of "dependent-beneficiary", "employee-beneficiary", and "qualified-beneficiary" to read as follows:

""Dependent-beneficiary" means an employee-beneficiary's:

(1) Spouse[~~,~~] or reciprocal beneficiary;

(2) Unmarried child who has not entered into a reciprocal beneficiary relationship deemed eligible by the board, including a legally adopted child, stepchild, foster child, or recognized natural child who lives with the employee-beneficiary; and

(3) Unmarried child who has not entered into a reciprocal beneficiary relationship regardless of age who is incapable of self-support because of a mental or physical incapacity, which existed prior to the unmarried child's reaching the age of nineteen years.

"Employee-beneficiary" means:

(1) An employee;

(2) The [~~beneficiary~~] spouse or reciprocal beneficiary of an employee who is killed in the performance of the employee's duty[~~;~~], until the spouse or reciprocal beneficiary marries or enters into a reciprocal beneficiary relationship;

(3) [~~An employee who retired prior to 1961;~~] The child of an employee who is killed in the performance of the employee's duty, until the child marries, enters into a reciprocal beneficiary relationship, or reaches the age of nineteen, whichever occurs first;

(4) The [~~beneficiary~~] spouse or reciprocal beneficiary of a retired member of the employees' retirement system[~~;~~], a county pension system[~~;~~], or a police, firefighters, or bandsmen pension system of the State or a county, upon the death of the retired member[~~;~~] until the spouse or reciprocal beneficiary marries or enters into a reciprocal beneficiary relationship; or

(5) The [~~surviving~~] child of a [~~deceased retired employee, if the child is unmarried and under the age of nineteen;~~] retired member of the employees' retirement system, a county pension system, or a police, firefighters, or bandsmen pension system of the State or a county, upon the death of the retired member and until the child marries, enters into a reciprocal beneficiary relationship, or reaches the age of nineteen, whichever occurs first;

~~(6) The surviving spouse of a deceased retired employee, if the surviving spouse does not subsequently remarry;~~]

provided that the employee, the employee's [~~beneficiary, or the beneficiary of the deceased retired employee~~] spouse, child, or reciprocal beneficiary, or the retired member's spouse, child, or reciprocal beneficiary is deemed eligible by the board to participate in a health benefits plan or long-term care benefits plan under this chapter.

"Qualified-beneficiary" means, for purposes of the long-term care benefits plan, a former employee or an employee who is not eligible for benefits due to a reduction in work hours, including the spouse[~~,~~] or reciprocal beneficiary, divorced spouse, parents, grandparents, in-law parents, and in-law grandparents of an employee or retiree; provided that the beneficiary was enrolled in the plan before the employee or former employee became ineligible for benefits."

SECTION 4. Section 87A-18, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

"(a) The board may establish a long-term care benefits plan or plans for employee-beneficiaries; the spouses[~~,~~] or reciprocal beneficiaries, parents, grandparents, in-law parents, and in-law grandparents of employee-beneficiaries; and qualified-beneficiaries. The plan or plans shall be at no cost to employers and shall comply with article 10H of chapter 431.

(b) Notwithstanding any other law to the contrary, long-term care benefits shall be available only to:

(1) Employee-beneficiaries and their spouses[~~,~~] or reciprocal beneficiaries, parents, and grandparents;

(2) Employee-beneficiary in-law parents and grandparents; and

(3) Qualified-beneficiaries who enroll between the ages of twenty and eighty-five,

who comply with the plan's age, enrollment, medical underwriting, and contribution requirements."

SECTION 5. Section 87A-23, Hawaii Revised Statutes, is amended to read as follows:

"**§87A-23 Health benefits plan supplemental to medicare.** The board shall establish a health benefits plan, which takes into account benefits available to an employee-beneficiary and spouse or reciprocal beneficiary under medicare, subject to the following conditions:

(1) There shall be no duplication of benefits payable under medicare. The plan under this section, which shall be secondary to medicare, when combined with medicare and any other plan to which the health benefits plan is subordinate under the National Association of Insurance Commissioners' coordination of benefit rules, shall provide benefits that approximate those provided to a similarly situated beneficiary not eligible for medicare;

(2) The State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund a contribution equal to an amount not less than the medicare part B premium, for each of the following who are enrolled in the medicare part B medical insurance plan: (A) an employee-beneficiary who is a retired employee, (B) an employee-beneficiary's spouse or reciprocal beneficiary while the employee-beneficiary is living, and (C) an employee-beneficiary's spouse[~~,~~] or reciprocal beneficiary, after the death of the employee-beneficiary, if the spouse or reciprocal beneficiary qualifies as an employee-beneficiary. For purposes of this section, a "retired employee" means retired members of the employees' retirement system; county pension system; or a police[~~,~~] officers, firefighters, or bandsmen pension system of the State or a county as set forth in chapter 88. If the amount reimbursed by the fund under this section is less than the actual cost of the medicare part B medical insurance plan due to an increase in the medicare part B medical insurance plan rate, the fund shall reimburse each employee-beneficiary and employee-beneficiary's spouse or reciprocal beneficiary for the cost increase within thirty days of the rate change. Each employee-beneficiary and employee-beneficiary's spouse or reciprocal beneficiary who becomes entitled to reimbursement from the fund for medicare part B premiums after July 1, 2006, shall designate a financial institution account into which the fund shall be authorized to deposit reimbursements. This method of payment may be waived by the fund if another method is determined to be more appropriate;

(3) The benefits available under this plan, when combined with benefits available under medicare or any other coverage or plan to which this plan is subordinate under the National Association of Insurance Commissioners' coordination of benefit rules, shall approximate the benefits that would be provided to a similarly situated employee-beneficiary not eligible for medicare;

(4) All employee-beneficiaries or dependent-beneficiaries who are eligible to enroll in the medicare part B medical insurance plan shall enroll in that plan as a condition of receiving contributions and participating in benefits plans under this chapter. This paragraph shall apply to retired employees, their spouses[~~,~~] or reciprocal beneficiaries, and the surviving spouses or reciprocal beneficiaries of deceased retirees and employees killed in the performance of duty; and

(5) The board shall determine which of the employee-beneficiaries and dependent-beneficiaries, who are not enrolled in the medicare part B medical insurance plan, may participate in the plans offered by the fund."

SECTION 6. Section 87A-32, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund a monthly contribution equal to the amount established under chapter 89C or specified in the applicable public sector collective bargaining agreements, whichever is appropriate, for each of their respective employee-beneficiaries and employee-beneficiaries with dependent-beneficiaries, which shall be used toward the payment of costs of a health benefits plan; provided that:

(1) The monthly contribution shall be a specified dollar amount;

(2) The monthly contribution shall not exceed the actual cost of a health benefits plan;

(3) If both husband and wife or reciprocal beneficiaries are employee-beneficiaries, the total contribution by the State or the county shall not exceed the monthly contribution for a family plan; and

(4) If the State or any of the counties establish cafeteria plans in accordance with Title 26, United States Code section 125, the Internal Revenue Code of 1986, as amended, and [~~part II of chapter 78,~~] section 78-30, the monthly contribution for those employee-beneficiaries who participate in a cafeteria plan shall be made through the cafeteria plan, and the payments made by the State or counties shall include their respective contributions to the fund and their employee-beneficiary's share of the cost of the employee-beneficiary's health benefits plan."

SECTION 7. Section 87A-33, Hawaii Revised Statutes, is amended to read as follows:

"**§87A-33 State and county contributions; retired employees.** (a) Notwithstanding any law to the contrary, this section shall apply to state and county contributions to the fund for:

(1) The dependent-beneficiary of an employee who is killed in the performance of duty;

(2) A dependent-beneficiary, upon the death of the employee-beneficiary, except as provided in section 87A-36;

(3) An employee-beneficiary who retired after June 30, 1984, due to a disability falling within sections 88-79 and 88-285;

(4) An employee-beneficiary who retired before July 1, 1984;

(5) An employee-beneficiary who:

--(A) Was hired before July 1, 1996;

--(B) Retired after June 30, 1984; and

--(C) Who has ten years or more of credited service, excluding sick leave;

(6) An employee-beneficiary who:

-- (A) Was hired after June 30, 1996; and

-- (B) Retired with twenty-five or more years of credited service, excluding sick leave, except as provided in section 87A-36; and

(7) Employees who retired prior to 1961 and their dependent-beneficiaries.

[~~(b) Effective July 1, 2003, there is established a base monthly contribution for health benefit plans that the State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund, up to the following:~~

~~(1) $218 for each employee-beneficiary enrolled in supplemental medicare self plans;~~

~~(2) $671 for each employee-beneficiary enrolled in supplemental medicare family plans;~~

~~(3) $342 for each employee-beneficiary enrolled in non-medicare self plans; and~~

~~(4) $928 for each employee-beneficiary enrolled in non-medicare family plans.~~

~~The monthly contribution by the State or county shall not exceed the actual cost of the health benefits plan or plans. If both husband and wife are employee-beneficiaries, the total contribution by the State or county shall not exceed the monthly contribution for a supplemental medicare family or non-medicare family plan, as appropriate.~~

~~(c)~~] (b) Effective July 1, 2004, there is established a base monthly contribution for health [~~benefit~~] benefits plans that the State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund, up to the following:

(1) $254 for each employee-beneficiary enrolled in supplemental medicare self plans;

(2) $787 for each employee-beneficiary enrolled in supplemental medicare family plans;

(3) $412 for each employee-beneficiary enrolled in non-medicare self plans; and

(4) $1,089 for each employee-beneficiary enrolled in non-medicare family plans.

The monthly contribution by the State or county shall not exceed the actual cost of the health [~~benefit~~] benefits plan or plans and shall not be required to cover increased benefits above those initially contracted for by the fund for plan year 2004-2005. If both husband and wife or reciprocal beneficiaries are employee-beneficiaries, the total contribution by the State or county shall not exceed the monthly contribution for a supplemental medicare family or non-medicare family plan, as appropriate.

[~~(d)~~] (c) The base composite monthly contribution shall be adjusted annually, beginning July 1, 2005. The adjusted base composite monthly contribution for each new plan year (July 1 until June 30) shall be calculated by increasing or decreasing the base composite monthly contribution in effect through the end of the previous plan year by the percentage increase or decrease in the medicare part B premium rate for those years, which percentage shall be calculated by dividing the medicare part B premium rate in effect at the beginning of the new plan year by the rate in effect at the beginning of the previous plan year.

For the plan year beginning July 1, 2005, the adjusted base monthly contribution shall be computed using the actual contracted premium rate as of July 1, 2004, for medicare and non-medicare, self and family health [~~benefit~~] benefits plans with the highest actual contracted premium rate as of July 1, 2004.

As used in this subsection, "medicare part B premium rate" means the rate published in the Federal Register each year on November 1 or on the business day closest to November 1 of each year after the medicare part B premium rate has been established by the Secretary of Health and Human Services and approved by the United States Congress."

SECTION 8. Section 87A-34, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund a monthly contribution equal to one-half of the base monthly contribution set forth under section 87A-33(b) for retired employees enrolled in medicare or non-medicare health benefits plans. If both husband and wife or reciprocal beneficiaries are employee-beneficiaries, the total contribution by the State or county shall not exceed the monthly contribution for supplemental medicare family or non-medicare family plan, as appropriate."

SECTION 9. Section 87A-35, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund:

(1) For retired employees enrolled in medicare or non-medicare health [~~benefit~~] benefits plans with ten or more years but fewer than fifteen years of service, a monthly contribution equal to one-half of the base monthly contribution set forth under section 87A-33(b); and

(2) For retired employees enrolled in medicare or non-medicare health [~~benefit~~] benefits plans with at least fifteen but fewer than twenty-five years of service, a monthly contribution of seventy-five per cent of the base monthly contribution set forth under section 87A-33(b).

If both husband and wife or reciprocal beneficiaries are employee-beneficiaries, the total contribution by the State or county shall not exceed the monthly contribution for a supplemental medicare family or non-medicare family plan, as appropriate."

SECTION 10. Section 87A-36, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The State, through the department of budget and finance, and the counties, through their respective departments of finance, shall pay to the fund:

(1) For retired employees based on the self plan with ten or more years but fewer than fifteen years of service, a monthly contribution equal to one-half of the base medicare or non-medicare monthly contribution set forth under section 87A-33(b);

(2) For retired employees based on the self plan with at least fifteen but fewer than twenty-five years of service, a monthly contribution equal to seventy-five per cent of the base medicare or non-medicare monthly contribution set forth under section 87A-33(b);

(3) For retired employees based on the self plan with twenty-five or more years of service, a monthly contribution equal to one-hundred per cent of the base medicare or non-medicare monthly contribution set forth under section 87A-33(b); and

(4) One-half of the monthly contributions for the employee-beneficiary or employee-beneficiary with dependent-beneficiaries upon the death of the employee, as defined in paragraph (1)(E) of the definition of "employee" in section 87A-1.

If both husband and wife or reciprocal beneficiaries are employee-beneficiaries, the total contribution by the State or county shall not exceed the monthly contribution for two supplemental medicare self or non-medicare self plans, as appropriate."

SECTION 11. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 12. This Act shall take effect upon its approval.

Representative Luke moved that Floor Amendment No. 2 be adopted, seconded by Representative Bertram.

Representative Luke rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, thank you so much. I rise to speak in favor of this floor amendment. I do appreciate you and the leadership, and the Judiciary Chair for having a hearing on the bill that's incorporated in this floor amendment. HB 1587 was specifically dealing with reciprocal beneficiaries for State employees, and let me explain that bill.

"In 1997, when the Legislature passed the reciprocal beneficiary statute, about 200 different portions of reciprocal benefits were granted throughout the State. One section that was carved out at that point was for State employees. HB 1587 specifically addressed the need to provide equality and equal treatment and to provide the same type of benefits for reciprocal benefit as is provided in the private sector for State employees. Since 1997, State employees have not been able to have the benefit of these benefits, and HB 1587, which is the floor amendment here today, is trying to fix that inequity.

"I do appreciate the Judiciary Committee for having a hearing on this bill. The unfortunate part is that because this bill was somehow related in some part to the civil union bill, I think there was a lot of testimony, whether it's this bill or civil union bill, that a lot of the civil rights community wanted it. I think that's the unfortunate part, because this bill definitely has merit on its own, and it should not have been combined or related to the civil union bill. And because I believe that if taken apart from other issues, this bill would have passed. It deserves continued discussion. That is why I offer this floor amendment. Thank you."

Representative Bertram rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in strong support for this as well. Echoing the previous speaker's comments that this is something that is just overdue anyway, regardless of what happens with the civil union bill. And also, I think it does show that the House is still committed to the steady, slow progress towards civil rights for all citizens of the State. I think it's important that even these small steps, as I mentioned previously, even with bikeways. Even if we're getting two percent, if we're getting one percent, if we get a percentage of rights being established in each Session, each time, we are going to see this march just keep going forward.

"So I very much support this amendment and I would really hope that the other Members support this. And we need to show some movement on this issue even if it is an itty, bitty, tiny, little step. Thank you."

Representative Saiki rose to speak in support of the proposed floor amendment, stating:

"I rise in support of this measure. First of all, I would like to request a roll call vote, and I would like to submit written comments," and the Chair "so ordered."

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I rise in support of this floor amendment because after enacting the reciprocal beneficiary statute in 1997, it is time that the Legislature finally address the issue of extending health benefits to the reciprocal beneficiaries of State and county workers. The Judiciary Committee previously heard a measure, H.B. 1587, that proposed to do this, but did not approve it and instead deferred decision making on the measure. Thus, it is necessary that we amend this bill to preserve our opportunity to act on this proposal in this legislative Session. Thank you."

The request for a roll call vote was put to vote by the Chair and upon a show of hands, the roll call was approved.

Roll call having been approved, the motion that Floor Amendment No. 2, amending H.B. No. 1290, entitled: " A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," be adopted, was put to vote by the Chair and carried on the following show of Ayes:

Ayes, 47: Representatives Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Ching, Chong, Evans, Finnegan, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Pine, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takamine, Takumi, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Excused, 4: Representatives Cabanilla, Magaoay, Takai and Thielen.

At this time, the Chair announced:

"The floor amendment has passed and we will be taking this up on Thursday at 2:20 p.m. to meet the 48-hour requirement."

At 2:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:22 o'clock p.m.

At this time, the Chair announced:

"After clarifying the last vote that we had on the Floor of the House. I stated for the record that Stand. Com. Rep. No. 973 will be taken up on Thursday to meet the 48-hour requirement."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 975) recommending that H.B. No. 1746, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1746, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with some reservations on this measure. This is a bill dealing with the pilot program that was established and passed into law in 2005. It was a three-year pilot program to see how reinstating the VEBA Trust would work at perhaps saving money on medical cost for State employees. I know that the HSTA found it took longer than they thought to get their members organized and get back into the VEBA Trust. So this bill is asking to extend that pilot program that was originally for three years out to 2013, which would now make it a five-year pilot program, and

long, I think, for a pilot program. They will make a report after the VEBA Trust has been in effect for two full years.

"I would like to see, and I know that this bill got a long way to go yet, but I would like to see an independent party do the study. Right now it's left to the union organization to come up with all the information and the experience. I'd like to see someone like the Auditor do the report on all the findings. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just slight reservations, and my reservations have to do with aligning the Sunset date with the report back to the Legislature. So having it to be consistent with the two years of the report to the Legislature and then, extending it should we find that the report comes out okay."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 976) recommending that H.B. No. 14, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 978) recommending that H.B. No. 17, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 17, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm going to be voting in opposition to this measure. This is the measure that has to do with the Weighted Student Formula, and it requires the DOE's Committee on Weights to meet every odd numbered year, rather than every year. What I remember in Committee, as well as what I remember reading throughout the past months in different reports, is that what we want to do is try to move forward with the Weighted Student Formula Committee and the Weighted Student Formula in general.

"The Board of Education also did a consultant's report on how the Weighted Student Formula was doing. One of the issues that they had was that it's slowing its implementation. That was one of the negatives, the main negative that they had in that particular report. So, instead of doing it every odd year, we should be concentrating on how do we help keep the pressure on the Board, as well as the DOE to discuss these issues that have to do with the Weighted Student Formula and moving it forward.

"I understand that there are some challenges and it would just be more convenient. But my concern is that when you have a deadline like two years down the line, procrastination can set in. And if you're going according to the consultant's report that the Board of Education has, it basically states that. It is more difficult for these schools to be sitting in a situation where they are in a stuck place. If we just help this Weighted Student Formula move forward in a quicker manner, maybe within that system that you allow these schools to get more towards the money that they can use flexibly which would allow them to have an easier time at these schools. Thank you."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I stand in support. The previous speaker is confusing apples with oranges. Mr. Speaker, this bill does not have anything to do with the amount of time to it takes to implement the Weighted Student Formula.

"As you know, Mr. Speaker, when Act 51 passed, it mandated that 70% of the operational dollars would go to the schools. They have not reached that point yet. In year one, they went 10%. This past year they went 5%. So there's only 15% implementation toward that overall goal of 70%. What this bill does is to say that in odd-numbered years, at a minimum, they can meet more often, but at a minimum they shall meet every two years starting with odd-numbered years, which means this year again.

"Mr. Speaker, all of us who have schools in our district, which is all of us by the way, have experienced complaints by teachers, by principals and school committee councils about the rip-sawing effect of the Committee on Weights, what has happened in year one and year two is that as they have come up with a proposed formula on who should be weighted, how it should be weighted, whether or not there will be a foundation and all the rest of it, there has been uncertainty in the system. By meeting every two years, if they choose to decide this, once they come up with a third approach to the latest student formula this year, it would give some comfort to schools out there for at least for the next two years, there will be predictability, some consistency, some mode of funding, and at least we can assume that when they plan their financial and academic plans, that that budget would more or less stay intact for the next two years. That's the whole intent behind this bill. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Thank you Mr. Speaker. I would argue that I'm not speaking in regards to apples and oranges, but that I am speaking orange to orange, and apple to apple when I talk about this issue. When I speak with people who are in my community in regards to this, they are on the other side of the equation where some of them will actually be gaining money. A lot of our communities through the Weighted Student Formula if given a chance, like we were talking about Farrington High School, they will be gaining a lot of money if there was an addition of, or if there was more movement in regards to the Weighted Student Formula. There are quite a few schools that will be doing that. So, it depends on what side of the coin you would want to rush this thing through.

"For those who have been on the side of the coin that for very many years we were under-funded due to the population that they've had that they would like to see this move a lot quicker. So again, I'm talking to this. BOE hired with their own money, a consultant that stated that the problem with the Weighted Student Formula right now is that it's moving too slow. This will give the opportunity to the Board of Education and others to slow down the implementation, then that is not a good thing.

"I would also state that we talk about having the opportunity to possibly meet more within those two years and work on the Weighted Student Formula. The problem that some of the communities were talking about is it wasn't necessarily the yearly recruitment. It was more the situation of the BOE pushing it off, and pushing off, and pushing it off, and then giving the schools a very small window of time to be able to plan and implement the changes and all that other kind of stuff.

"So, if we did that, if the Board would stay on task on what they decide on what how to do the Weighted Student Formula and then

give the schools within that year the amount of time to adjust, I think that that would be fair."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. I first would like the words of the Minority Leader as my own. She brought some really good points and it kind of reminded me when the weighted formula got passed. I went back to my district and said we're going to benefit from this because the majority of our students are students from other countries whose families moved here. And the majority of students from all the schools come from very poor family. They either live at the poverty line or below.

"I remember the year after when all the principals came back to me and said they are not going to implement this. They said they were going to get only five percent of the whole thing we were supposed to get. And so that really just lowered the morale of the people in my district and the principals and teachers. So I do agree with the Minority Leader that they should do this faster and definitely meet more often than two years."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 17, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Ching, Finnegan, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 980) recommending that H.B. No. 23, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 23, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support, but with some reservations. This bill is to ensure the safety and welfare of children enrolled in the public school system. It authorizes the Department of Education to perform criminal history record checks on any employee provider or subcontractor that enters or intends to enter into a contract with or is currently contracted by the DOE to provide services in close proximity to the children. I think this is a good thing.

"The problem I have with the bill as it exists right now is that it excludes teacher trainees to those same criminal background checks. Why are we excluding teacher trainees from background checks? Do we really want to have trainees who might be criminals, drug addicts or child molesters working in close proximity to our kids? Is there some reason the teacher trainees are considered more vulnerable and trustworthy than everyone else subject to these checks. I think it's a loophole and I hope that as it moves along through the process, these people will also be subject to the criminal checks. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 23, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Bertram voting no, and Representatives Takai and Thielen being excused.

At 2:24 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1950, HD 1	H.B. No. 14, HD 1
H.B. No. 31, HD 1	H.B. No. 17, HD 1
H.B. No. 1746	H.B. No. 23, HD 3

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 981) recommending that H.B. No. 564, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 564, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I think I've spoken on this issue before and so I will not be belabor the point of its importance. I am in support, Mr. Speaker, in support. I very much appreciate it. However, if I could just touch on a few points.

"Once again, I rise in strong support of this measure that will give teachers the resources and the flexibility to give to our children the best education possible. Teachers are committed to educating students, but they can become frustrated because they find themselves limited by the resources they are given or find themselves waiting for long periods of time for the supplies they need to best educate our students in our State. And oftentimes they are resorting to spending their own money to get supplies that they feel are essential to maximize student learning. This was demonstrated in the HSTA testimony when they said that input from teachers suggest that they are spending approximately $800 each for supplies in their classrooms.

"These dedicated teachers need help. Mr. Speaker, the debit cards proposed here are I believe a tool in recruiting teachers, as well as giving them flexibility for innovative curriculum needed in our schools. Thank you."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker, I am in support. Teachers in my community are extremely supportive of this bill. The debit card system will provide our teachers with more time to spend on preparing for lessons or assisting students instead of filling out cumbersome invoices. In addition, this card system will allow our educators the ability to obtain supplies in a timely manner."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 564, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 985) recommending that H.B. No. 30, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 30, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in opposition to House Bill 30 House Draft 2.

"Mr. Speaker, I do not believe that the State Legislature has the power to void any federal International Trade Agreement. That is

why the citizens of this State vote for U.S. Congressmen and women and Senators to represent us in Washington D.C. It is their job to speak with interested parties and Congressional leaders to make sure International Trade Agreements are fair to Hawaii businesses and workers. Not the State Legislature. If our leaders in Washington D.C. fail us, then our citizens have the power and the right to vote for new representation in Washington D.C.

"This bill is nothing more than a partisan bill that this legislative body is using to try to limit the Governor's executive powers because she is from a different political party than the Majority in the House. The Representative from Pearl City was correct when he stated that International Trade Agreements do not happen overnight.

"However, even if they take years or months to develop, the federal government may come to the Governor during the interim and ask for the State's consent with short notices and specific deadlines. This bill does not address the interim protocol if the federal government asks for a decision while we are out of Session. If the Governor is not able to act in a timely manner because she must wait for the Legislature's consent, Hawaii may risk losing federal funding or miss out on a great opportunity to help the citizens of Hawaii.

"For these and other reasons, I stand in opposition to this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 30, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Awana, Ching, Finnegan, Marumoto, McKelvey, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 986) recommending that H.B. No. 1547, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1547, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Manahan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on this bill. This bill does two things. It establishes the Office of International Relations and it also appropriates funds to bring the Symposium on Freeways and Toll Ways here. My concern is that there is not enough time to establish an Office of International Relations, as well as bring this Symposium here by 2009. I think it's very ambitious to do and it's possibly already duplicating efforts of the Hawaii Tourism Authority and the Hawaii Convention Center, so I will be voting with reservations. Thank you."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB1547 HD3. I had the privilege to attend the 1st ever International Symposium on Tollways and Highways held in Athens, Greece last summer. The information that I garnered to tackle our lane deficient islands was fantastic and promising. It resulted in the introduction of numerous Public-Private-Partnership bills that are now before us.

"Over 500 engineers and financiers from over 22 countries shared their expertise at the symposium. Not too long ago, Athens held the summer Olympics whereby they constructed over 90 miles of highways in less than five years. How did they do it? The answer lies in providing the means to have the private sector involved. Without the private sector- here is what happens:

"The North-South Road in Ewa being constructed today is roughly 3 miles long and took the State DOT almost a decade to merely plan and design. Another example is when the Legislature in 1999 provided $4 million to the State to build a bike path known as the Leeward bikeway, yet today, the State has yet to build an inch. Simply put, the Stated does not have the personnel, resources, and financial reserve to do what needs to be done.

"Colleagues, we are in a transportation crisis. Let's bring the next International Tollway and Highway Symposium here in order to have hundreds of transportation experts and financiers from all over the globe assist us in resolving our crisis. For your information, the government of Greece contributed roughly a quarter of a million dollars to host the symposium. I urge all of my colleagues to vote yes on this measure. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of the measure with brief comments. In 1988, the State under the guidance of President Simone of the University of Hawaii held a seminar and it was about the future international role of the State of Hawaii. Following a few years after that, there was established an Office of International Relations which was in the Governor's Office. And then because of various difficulties in the '90s because of funding, that Office and its funding went out the door, out the window. It was only in the wisdom of last year's Legislature that the Office of International Affairs was re-established and that with this bill, it's funding and inclusion by this Legislature.

"This is one where I really like. We are getting our involvement with international affairs because this puts a protocol fund together by which we can participate with those many, many visitors from overseas, which hopefully, many, many trade agreements will be result from.

"Mr. Speaker, this is an idea whose time has come. We have not changed our geographical position in the middle of the Pacific, but we are slowly changing our thinking again. Back in 1988, when we saw us having a possibility of being the future 'Geneva of the Pacific', the future of international trade, the future of a lot of things, because the future of the world is in the Pacific, and that's where we are. So, this bill has reached the time, and now with this bill its funding, and I hope, Mr. Speaker, everybody will be vote in the positive. Thank you."

Representative Yamane rose in support of the measure with reservations, and asked that the remarks of Representative Manahan be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1547, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Har voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 989) recommending that H.B. No. 1818, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1818, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 990) recommending that H.B. No. 806, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 806, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 991) recommending that H.B. No. 1718, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1718, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'll make this brief. I'm rising in support with a very slight reservation. I hope that when this bill returns, that the voice of the counties will be included in the analysis. This is a very important issue that needs to be handled. As long as the counties can be included in an active voice, I would appreciate it. It will help us all. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1718, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CRUISELINE INDUSTRY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 992) recommending that H.B. No. 1072, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1072, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some very serious reservations on this particular measure. This is Stand. Com. Rep. No. 992, H.B. 1072. This bill would establish the Kakaako Affordable Housing Development Program and set up an appropriation of special funds for that organization. I guess my concerns are that I believe that HHFDC would be far more efficient for affordable projects located within the Kakaako area. They are in that business and they would be more effective in seeking funding.

"There are existing programs. They handle existing programs, including the Rental Trust Fund and federal and State low income tax credits, which provide financial assistance in the development of affordable housing. The development of affordable housing should not be limited to Kakaako as there is a statewide shortage of affordable housing.

"Mr. Speaker, in Committee HCDA commented that their strength lies in its function as a redevelopment agency, not a housing developer. They recommend directing the funds in this measure to community development districts for the creation of high density mixed use urban communities, residential, commercial, industrial and other uses, while allowing HHFDC to continue its work as Hawaii's premiere housing finance and development department. Thank you."

Representative Awana rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 1072.

"We have before us today a number of bills that together hold promise for developing much-needed affordable housing for Hawaii residents. No bill in itself provides a total solution to our housing crisis, but each bill represents a key piece in the overall picture. HB 1072 is one of these key pieces.

"The bill's introductory language tells us that it is the high cost of land that contributes significantly to the high cost of housing in Hawaii. The shortage in the supply of land creates a situation in which land tends to be developed for higher priced housing rather than at more affordable levels.

"If government wishes to alleviate this situation, it is only natural that it look first at its own land inventory. The Kakaako Community Development District is one such area that is ideally suited for affordable housing, both by its proximity to Honolulu's urban core and by its legislative mandate to "alleviate community needs such as low-income housing …"

"Objections that affordable housing should not be limited to Kakaako, or that HHFDC is more suited to carrying out the intent of this bill, are without merit. First of all, there is no intent in the measure to put the burden on HCDA to meet all of urban Oahu's affordable housing needs, or to diminish HHFDC's role. Both agencies, along with the many private non-profit developers who are committed to making housing more affordable, will continue to make significant contributions according to their specific mandates.

"I urge my colleagues to vote favorably on this bill."

Representative Finnegan rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1072, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 993) recommending that H.B. No. 1121, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1121, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES FOR AGRICULTURAL USES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 2:44 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 564, HD 1	H.B. No. 806, HD 2
H.B. No. 30, HD 2	H.B. No. 1718, HD 3
H.B. No. 1547, HD 3	H.B. No. 1072, HD 2
H.B. No. 1818, HD 2	H.B. No. 1121, HD 2

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 994) recommending that H.B. No. 71, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 71, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I support the intent of HB 71 HD2, but have some reservations.

"The certification process by DCCA is adding another layer of unnecessary bureaucracy from yet another agency that is killing off small business that care for our elders.

"The certification process should not be mandatory, especially for those who have been in the nursing or caring for our elders for many years.

"The certification process should be customized for requirements and needs of each segment of the nursing profession and should include a special certification process for those nurses or nurse assistants that are employed within State licensed or state certified health care settings.

"This measure should be modified to enhance consumer confidence in the nursing industry, and to promote small businesses in the industry.

"This bill gives the agencies rulemaking power and of course the devil is in the details and we do not have the rules yet to see if this will actually be beneficial to the industry in the end or harmful. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 71, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Takai, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 995) recommending that H.B. No. 791, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 791, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"While there are no longer any federal laws mandating the blending of ethanol or MTBE into gasoline, many states have passed laws that do require it. Nationally, 40% of all gasoline sold for use in cars is blended with ethanol. But, in Hawaii 99% of all gasoline is blended with ethanol – the only unblended gas is on Lanai and Molokai.

"Thousands of Hawaii residents have suffered costly mechanical failures as a result of the ethanol mandate for gasoline. If you own a boat, a small airplane, a classic car, a lawnmower, a chainsaw, an emergency power generator – in short, if you own anything with a gasoline-powered engine, you may have had it fail or stop running.

"You may ask, why? Why should something as seemingly innocuous as a tiny amount of ethanol in a gallon of gasoline cause so many problems?

"The first problem is that ethanol is a solvent. It degrades fiberglass fuel tanks common in marine and small airplane applications by dissolving the fiberglass resins and creating a sludge that clogs fuel filters, and leaves a thick charred coating on the valves that can ruin engines. The Federal Aviation Administration forbids small airplanes from using ethanol-blended fuel because of these problems, forcing the pilots to either ground their aircraft or break the law.

"The second problem is that ethanol attracts moisture from the air. When an engine sits unused, or is not tightly sealed against atmospheric moisture, such as in the case of marine and aviation engines, over time the increased ratio of water in the blended fuel hits a critical point, and "phase separation" occurs: the mixture breaks down into separate layers of gasoline, ethanol, and water. When the pure ethanol or water layer is injected into the engine, serious damage can occur. This rarely happens with passenger cars, since most are driven daily and have tightly sealed fuel systems that keep out moist air.

"You may well ask: how did we get into this mess? Why didn't anyone anticipate these kinds of problems?

"This situation is the result of a well-intentioned law that suffers from unintended consequences. Act 257 was passed in 1997, and required the Director of DBEDT (the Department of Business, Economic Development, and Tourism) to adopt rules to implement the law that gasoline sold in Hawaii contain ten percent ethanol by volume. This law was intended to bail out Hawaii's sugar producers by creating a more profitable market for sugar, with consumers paying the subsidy via compulsory purchases of ethanol refined from sugar cane. The other benefit would be a lowered dependence on fossil fuels. In 2004 Governor Lingle directed DBEDT to complete rule-making and implement the law. Eighteen months later in April of 2006, 99% of Hawaii's gas supply was ethanol blended.

"Several things went wrong here. First, the law took effect despite the lack of ethanol plants in Hawaii, causing refiners to import pricy ethanol. Second, the gasoline refiners and distributors decided to make 99% of their gasoline into the E10 ethanol blend (with the 1% that was pure gasoline going to Molokai and Lanai), even though the DBEDT rules allowed them to sell 15% of gasoline ethanol free.

"House Bill 791 HD1 is the only bill still alive that can address this critical problem affecting so many people. Do we really want to wait until tragedy strikes before acting?"

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I appreciate the work that the previous speaker's concern on this issue. I was a little concerned to read in the morning paper where the Chairman of the Senate Energy Committee said he has no intention of hearing this bill.

"It's a matter of public safety. What we have learned in recent months and years is that small aircraft are at risk with ethanol-based fuel, or with ethanol in any fuel. We've got boats whose engines have frozen when they're out on the ocean, to say nothing of lawnmowers and grasscutters and all of those that get frozen.

"I do fault DBEDT and I have said so at the hearing. They did not prepare us for the downside of ethanol in fuel, so I think it is imperative that we do provide some ethanol-free fuel. I think the bill expires, sunsets in five years, and we need to, in that period of time,

solve the problem of what ethanol has done to small engines. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 791, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 998) recommending that H.B. No. 250, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 250, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 999) recommending that H.B. No. 832, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 832, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB No. 832.

"Mr. Speaker, I believe that the passage of HB 832 is a necessary step in alleviating the negative effects of the closure of Del Monte Fresh Produce. The closure of Del Monte pineapple operations in Hawaii was originally set to take place in 2008. However, this past November, Del Monte announced that the closure would be "immediate" – two years ahead of schedule.

"Most of the workers know no other work but plantation work, and 90% of them are immigrants who have little to no ability to speak English. For these workers to transition to new employment will be a very difficult process. The fact that it has come two years earlier than expected only compounds the problems of these displaced workers.

"The paramount concern of these workers is housing. Currently, many employees, retirees, and their families live in plantation homes. The closure could mean that these families will lose their homes. Through the passage of this bill, the legislature can ensure that these families are able to keep a roof over their heads.

"Mr. Speaker, this measure makes appropriations for the acquisition of the housing area for eventual resale to former Del Monte employees and retirees presently inhabiting the housing.

"The plight of these displaced workers is of the utmost importance to me, and I am committed to seeing them successfully transition into new employment and secure adequate housing for them and their families. This measure will do much to facilitate such success.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 832, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1000) recommending that H.B. No. 844, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 844, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I am in strong support of HB No. 844.

"Mr. Speaker, this bill addresses the purchase of real property in Wahiawa, namely Lake Wilson. This piece of property is currently owned by the George Galbraith Trust and an affiliate of Castle and Cooke Hawaii. The sole trustee of this estate has confirmed that, in accordance with laws, the trust is to terminate in April 2007, liquidate all its assets in Hawaii, and distribute assets to the beneficiaries of the trust. Accordingly, the trustee intends to sell the land that the trust owns under Lake Wilson. However, Lake Wilson remains an agricultural irrigation asset of the other half owner of the lands under the lake who is Castle and Cooke.

"Mr. Speaker, a bit of history. Lake Wilson is the largest lake and the largest sport fishery in the State. Its shoreline is nearly 20 miles long and holds approximately 3 billion gallons and includes an 8,000 acre watershed stretching from above Wahiawa. The surface area of the lake is approximately 350 acres at maximum pool and is comparable in size to Wahiawa town. The Wahiawa Dam and Water System were constructed in the 1900s for the Waialua Sugar Company and at the peak of sugar production, the water system provided up to 60 million gallons of water per day for the fields, stretching from Mokuleia to Waimea Bay. With the demise of Waialua Sugar Company in 1966, Dole's need for irrigation water is now just a fraction of the system's capacity.

"At present, the Wahiawa Dam and land under Lake Wilson are owned by Dole and the Galbraith Estate, and a siphon into a system is owned by Kamehameha Schools Bishop Estate. For many years, Dole has leased the Galbraith portions of the dam, but since Galbraith is selling off its trust lands, the lease to Dole ends in April 2007. Once the sale is finalized, responsibilities for the dam will be divided between Dole and the new owner.

"In anticipation of Galbraith's divestiture, Dole, Kamehameha Schools Bishop Estate and Galbraith began discussions on gifting the dam, lands under an adjacent to the lake and a water distribution system, which includes smaller reservoirs, ditches, pipelines, siphons, filters and other appurtenances to the State with a condition that Dole be provided an equitable amount of free water in exchange for its gift of nearly 200 acres of real property.

"Mr. Speaker, the rationale for this proposal is to identify one new owner who could fairly control the dam and water distribution among competing users, and to protect the assets of the water system which delivers irrigation water to our North Shore farmers and other tenants.

"The State is the logical choice to own and operate this system, which is in the public interest. In addition, the public enjoyment of Wahiawa Freshwater Park can be fully realized if the State becomes the owner of the lake and the regulator of its use.

"Thank you Mr. Speaker and I urge all my colleagues to support this bill "

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 844, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF REAL PROPERTY IN WAHIAWA, OAHU," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1001) recommending that H.B. No. 1028, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1028, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Bertram rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support of HB 1028. The bill designates the Piilani Walking Trail from Makena to Kapalua on Maui as a Hawaiian Coastal Cultural Heritage Corridor and sets aside funds to maintain and improve this important piece of history.

"It's a shame that we neglect the importance of walking, especially because of the special history of the Hawaiian Islands. What's more, walking and biking provide terrific health benefits. Many of these benefits are particularly relevant to Hawaii's population. Our State suffers from high rates of childhood obesity. Let's create communities that ensure the safety of residents while encouraging them to opt for alternative modes of transportation. I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1028, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WALKING TRAILS," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

At 2:47 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 71, HD 2	H.B. No. 832, HD 1
H.B. No. 791, HD 1	H.B. No. 844, HD 1
H.B. No. 250, HD 2	H.B. No. 1028, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1003) recommending that H.B. No. 1516, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1516, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This is making an appropriation for improvements at Keehi Lagoon to help relocate Honolulu Marine. As you know, the reason for this bill is to ensure a smooth transition of the operations of Honolulu Marine from the current ship repair facility at Kewalo Basin to a new facility on undeveloped lands next to the Keehi Small Boat Harbor.

"The reason for this transition is that the Hawaii Community Development Authority is trying to fast track the development of Kewalo Basin and needs Honolulu Marine to be out of there. The question I have is whether this is the best use of our public funds.

"Currently, this appropriation is not in the Executive Budget and it could be extremely costly when you include infrastructure, site preparation and relocation costs. Additionally, HCDA did not come out and support this bill in its testimony, but remained neutral instead. Mr. Speaker, I think we need to seek out this entire process before we go forward. I suggest caution until all questions are answered. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1516, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Meyer voting no, and Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1004) recommending that H.B. No. 1590, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1590, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to disclose a potential conflict. My firm from time to time does work for the Hawaii Association of Realtors and I know they've worked on some of these eminent domain bills in terms of drafting language. I have not worked with them or talked to them about it, but would like to disclose a potential conflict. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1590, HD 3, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1005) recommending that H.B. No. 1667, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1667, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I am in strong support on HB 1667, HD2. Mr. Speaker, this bill authorizes the issuance of revenue bonds for the acquisition of land to develop Kalaeloa within the former Barbers Point.

"I strongly support this bill because of the potential Kalaeloa brings to the Leeward coast. Should this measure pass, additional affordable housing, job growth, and social value can be achieved. With the increase in population within Ewa and Kapolei, Kalaeloa provides the State and residents with potential housing for moderate and low-income families. Housing surveys indicate that the demand for households earning 50 to 80 percent of the median income has gone on the rise. Very little rental housing is also available. Kalaeloa will provide for the need of housing for both the leeward coast and the Ewa districts.

"Mr. Speaker, I further support HB 1667 because of the potential job growth. With the functional airfield and the location in the Ewa

region, commercial and retail opportunities such as aviation related industries, alternative energy production, and technology research and development can become a reality. These potential job allocations will benefit the people of Hawaii and contribute to the development in the Kapolei and Ewa regions.

"Mr. Speaker, Kalaeloa offers the surrounding communities, as well the entire Ewa region with the potential of social value. With future development of houses and jobs tied with the already existing recreational facilities and schools, social value can be accomplished. Social value for any community is vital to its people; Kalaeloa presents this opportunity for the entire Ewa region. That is why Mr. Speaker, I stand with strong support of HB 1667, HD 2. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1667, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR THE PURCHASE OF LAND TO DEVELOP KALAELOA COMMUNITY DEVELOPMENT DISTRICT," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1006) recommending that H.B. No. 1831, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1831, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GAME MANAGEMENT AREAS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Pine voting no, and Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1009) recommending that H.B. No. 401, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 401, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1011) recommending that H.B. No. 772, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 772, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1012) recommending that H.B. No. 1114, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1114, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Takamine and Thielen being excused.

At 2:51 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1516, HD 2
H.B. No. 1590, HD 3
H.B. No. 401, HD 2
H.B. No. 772, HD 2
H.B. No. 1667, HD 2
H.B. No. 1831, HD 1
H.B. No. 1114, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1014) recommending that H.B. No. 1221, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1221, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support. Our agriculture industry is currently experiencing many challenges. The lack of infrastructure, high cost of equipment and the scarcity of local labor sources have all negatively impacted this industry. This bill will help to alleviate these hardships by reimbursing these farmers for the cost of feed which is also increasing. Thank you, Mr. Speaker."

At 2:52 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:09 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1221, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 245, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF A HAWAII ARCHEOLOGICAL SURVEY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1019) recommending that H.B. No. 252, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 252, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. I guess there's always two ways of seeing things, and having some knowledge in real estate transactions and mortgage financing, with that background, I'm glad that I looked at this particular bill, Stand. Com. Rep. No. 1019, HB 252, Conveyance Taxes for Speculative Sales. What this is trying to do is curb speculative residential home sales by increasing the conveyance tax. I have a couple of issues.

"Some of our arguments up until this point have been, where purchasers in a sale, if there's any increased cost for the seller, that the purchaser actually ends up paying that in regards to increased prices. So, what this tries to do basically is for the single family

residence where the purchaser is ineligible for a county homeowner's property tax exemption, then the conveyance tax will go up.

"I have two issues with this. One is that there is a trickle-down effect that it will eventually affect purchasers in general. The reason why I say that is because the way real estate works is if one side of the equation, say the investment side, costs go up, then the availability, I guess, for the other sales to make more money, say, just a regular 'mom and pop' trying to sell their home and there's other comparables that are at higher cost, that will give them more room to charge more or to say, 'Hey, I want a higher purchasing price because this one over here sold for whatever the amount.'

"And that's why we're talking about the laws of supply and demand because it's always affected by how the demand, whether or not they want to pay those higher prices or not. That's one thing. But the other unintended consequence that I see is, I remember when we went from a little townhouse over to a regular home in Aiea about eight years ago. I cannot remember what the reason was, but we decided that we were going to just wait. Instead of turning over the homeowner's exemption, we couldn't do the homeowner's exemption on our Aiea property. So, what happened was we were ineligible for the homeowner's exemption because we had it on our other property.

"So depending upon when you consider yourself ineligible for claiming that homeowner's exemption, it's going to be hard to be able to capture that, and say, 'Okay.' So, then the seller now would not be able to be charged this increase in conveyance tax. I know it's kind of confusing, but in any case, I think that between this and the other bill that we had talked about earlier, I just don't agree with the ideas that are moving forward in those. Thank you."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in strong support. Mr. Speaker, the previous speaker talked about the law of supply and demand and the conveyance tax. Right now, 50% of it goes into the regular housing trust fund and the other portion goes into the Natural Area Reserve. The position of the HHFDC and Housing Hawaii, many of the housing advocates, Partners in Care, is that we need to make that share permanent, the 50%. And many homeless advocates and others say we should increase that amount. And this does go directly to the issue of supply versus demand.

"As I stated earlier, the Rental Housing Trust Fund goes directly to fund low income housing projects for the workforce, as well as low income. Mr. Speaker, this bill is similar to other measures we have. It simply gives people selling residential properties an incentive. If you're going to choose between someone who is going to use this home as their home, or someone who is going to take it as a vacation home, second home, or an investment property, we really, I think most of us in the State feel that given that choice, we really hope that sellers would choose the local working family that want to make this place their home.

"And, Mr. Speaker, I also wanted to point out that HHFDC has testified that right now the balance of the Rental Housing Trust Fund is, I think, approximately $19 million. They've received requests, thankfully, for $50 million plus in affordable rental housing projects. They really do feel an increase in their share of the conveyance tax is going to greatly benefit this State.

"And so I just wanted to end by saying that if we do not somehow increase the pie right now, like I said, the people advocating to make this change by July 2007 of this year, that the 50% share toward the Rental Housing Trust Fund is going to sunset. If we don't act now to increase the pie, increase the total amount going to conveyance tax, then we will be able to support this increase being pushed for by HHFDC and housing advocates. It will also, as I mentioned, benefit the NARS, Natural Area Reserves, so, the environmental groups, as well, support this Act. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, in opposition, Mr. Speaker. I just really believe this is a tax increase on the people of Hawaii during a time that we are overtaxed. People of my district are continually shocked by their property tax increase, the GET tax increase. Everything is just going up. And this is how it really hurts people in my district, Mr. Speaker. Everyone thinks these people are wealthy, who have second homes. But I have a lot of Filipino immigrants and family in Ewa Beach.

"A person like me will be asked to sign by another family member, who perhaps has a job at Zippy's and is having a hard time getting a bank to approve a loan. Maybe a Representative might be able to get one. I don't know. But I have two homes and I'm not paying for the second one. Someone else is. But someone else needed a place to stay and needed me to sign for it.

"I know, for example, another family in my district, a Filipino family. One family member happened to make it and become a doctor. But he brought in 30 people from the Philippines, and none of them could apply for a loan. So, his name is on five of those homes.

"My grandma, for example, makes $700 a month on her retirement. She bought a home in North Shore and Manoa when nobody else wanted to live there early, early, early 1900s, and she wants some more money so that she can just enjoy life just a little better. And now the thought of punishing my grandmother who makes $700 a month because she just wants to sell this other property. She can't keep up with the property taxes. We're punishing her. I know we had a lot of comments about we are to punish the mainland people. But, you know what? Local people sell houses, too. Local people buy houses, too.

"This isn't about not putting money in the Rental Housing Trust Fund. I'm in 100% support of that. I actually think it's an insult that we're using the conveyance tax, which is not a guarantee to keep income going into that Fund. The conveyance only has a huge surplus when this buying and selling keeps going on. I can tell you in the 90s no one was buying and selling house, and we determined all income for the Rental Housing Trust Fund to be based on the conveyance tax we have no money for affordable housing, no money to support the environment. So, I think, if we really cared about affordable housing in Hawaii, we'd use the huge surplus that we have for a great opportunity to invest a huge portion of that into building affordable homes.

"You, know, Mr. Speaker, I didn't continue my conversation in the other one, but we were talking about the permitting process. A speaker said there that it's this great wonderful process that gives us infrastructure. In fact, he even said the people in Ewa Beach didn't want infrastructure and didn't want roads. But I do want to state for the record that I truly believe that we do have a problem with the permitting process. It has not been good for our environment. I did not agree with that. You can ask many residents that live along the coast or live in rural areas. We have not taken care of the environment.

"I want to state for the record that people of Ewa Beach do want more roads, and do want more infrastructure, but the current permitting process that we're talking about that is so great at this time, did not provide any of those things for the people of Ewa Beach."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Several of the speakers seem to indicate that it's a terrible idea to have differential rates between certain kinds of sellers and buyers. I just want to point out that at the federal level for income tax purposes, short term capital gains are taxed at a much higher rate than long term capital gains for the exact same reason.

The federal government wants to discourage people from speculating the stock market and causing volatility in that market and that's exactly what we're trying to do here as well. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm in opposition to this particular measure, mainly because that it's a tax increase. But I question the imposition of the tax depending on the eligibility of the purchaser. Sometimes somebody may be coming from the mainland not owning anything, and then would not be eligible at the time of sale. But he intends to move into the house to make it his home. Or somebody who is selling two houses and to move into this one house and to make it home. So the eligibility question is very confusing to me and I'm certain some of these smart lawyers could figure this out. Thank you very much."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This is another way to address the same problem of finding affordability for housing for the citizens of our State. We had one in capital gains. We have no one that deals with the conveyance tax. Where the difference comes in is if you turn to page 2 and read lines 3, 4, 5 and 6. I'll read it out to the Members: 'For the sale of a condominium or a single family residence for which the purchaser is ineligible for a county homeowner's exemption on property tax', you have to pay these different rates of conveyance tax.

"What that means is if you have someone coming in who is going to buy the home that you're selling and they are not going to claim the homeowner's exemption, which we usually claim at the time you close the transaction because of the tax benefits that you received. They are not buying that home to occupy and live in. You're buying it for speculation. And in that case, this Legislature says it's a matter of public policy. You are going to pay a higher conveyance tax.

"But if you look at what the tax is that you're going to pay on a sale of a residence with a value over a million dollars, how many people in this body are buying homes for over a million dollars. It's seventy cents per one hundred dollars. And when you calculate that out, it's not that much money. Yes, we've heard the stories about so and so's grandmother who makes $700 a month. But we're talking about sales of large residences. The people who are not claiming a homeowner's exemption are buying it for second home and they live out of state for part of the year or for speculation. And that's exactly what we're trying to get at, Mr. Speaker. Thank you very much."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This seems like discrimination to me. If you are an investor, you will pay two to three and a half times more per hundred dollar value on the property that you purchased. In the beginning we talked about speculators. We would have a real problem here in the State if we don't have enough people who had enough confidence in the real estate market in Hawaii to choose to invest in real property rather than in the stock market. Investors take a chance, it's a risk, to buy a house and they rent it to you, me, our children, somebody.

"We need a large enough inventory of rental properties. We don't have enough of them, and so, this is not going to stimulate more people who want to take a chance on real estate. It's not investor friendly. Let's just say that. It's not investor friendly. People that invested in real estate in Hawaii in the late 80s the early 90s, some bought it at the top of the market in the early 90s. They simply could not sell their properties for years because the values dropped so low, they would just take a 'bath' if they sold them. Many went into the rental business not necessarily wanting to, but they did. And when property started to go back up in value about three and a half years ago, then we had a lot of people deciding to sell their properties.

"You will hear about all the renters that had to replace carpets every two years, clean up after tenants. The Representative from Ewa talked about having an investment house and somebody else is paying the mortgage. Oftentimes somebody else is paying rent to pay for part of the mortgage, but it doesn't cover all the costs. Investing in property is an honorable thing to do and it provides a product that is in high demand. People want a roof over their heads that they can call their own. So, I think this is a form of discrimination and it is most definitely an increase in taxes. In Hawaii, we are already number five in the nation for tax burden and this is just adding to that. Thank you very much, Mr. Speaker."

Representative Pine rose to respond, stating:

"Just briefly. I just wanted to respond. My grandmother bought this house in the North Shore for $35,000 for an acre and it's now valued over a million. She's still wearing the same dresses that she wore when I was five years old. I remember, the same ones. This will really provide a lot for her. And if the only person that steps forward to buy that house was someone from the mainland that wants it for their family to come for vacation, I don't want to take away that right to her to make that income.

"If we're targeting speculators, let's just be clear in this bill is any person that's a speculator can't buy these houses for the same tax incentives. You know, don't include local people at all."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just very briefly. I think people are making it like it's an absolute prohibition for people to buy here. It's not. It's just saying that you will be taxed at a slightly higher rate because you don't live here. It's basically an investment. So, if you're not going to be an owner occupant, then yes, we're going to charge you a little bit more taxes because you're helping to increase the value of properties that's become a problem. I really don't think it's actually this huge discrimination.

"We actually create classification all over the place and laws, and that's totally allowable because what we have here is a significant public interest that we're trying to achieve and make sure that our rental housing market, as well as our affordable housing market, stays very reasonable. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I was very interested in the debate on this bill. I'm in opposition. Because I do feel very deeply for our families. At these prices, my husband and I cannot afford a house in my district. Period. We cannot. Not one that will be for my baby. And so we are in a 600 square foot condo, a dog, a baby and two adults. And I don't think we could survive, except that my husband has a job that oftentimes takes him away from the apartment.

"So, I hear what we're trying to do and I think it's a noble cause and I know a lot of us are in the same predicament. But I do also know that when I've walked door to door in my district, particularly in upper Nuuanu where there are homes. The Representative from Laie persuaded me in her argument, that there are people who oftentimes when I knock on their door, they will say, 'I'm renting here and the owner lives on the mainland.' So there are four young people who vote in that house, but the owner is from the mainland. So, you know, and you want to rent a house, you want to rent an apartment, and, so, for those reasons and because I believe we already have a lot of tax burdens, I regretfully express my opposition."

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. In the interest of time, I'll just add written comments in opposition. Thank you."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this measure. This measure will not slow down speculators; however, it will bring in more money in conveyance taxes. I do not support tax increases especially when we have over $700 million in surplus. I believe that the Legislature is talking out of two sides of its mouth in this case."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 252, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAXES FOR SPECULATIVE SALES," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Meyer, Pine, Sonson, Souki and Ward voting no, and with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1021) recommending that H.B. No. 507, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 507, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1023) recommending that H.B. No. 208, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1026) recommending that H.B. No. 807, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1029) recommending that H.B. No. 843, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 843, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I'd also like to thank the body for their continuous support as this bill goes through, and I have written comments in the Journal," and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I am in strong support of House Bill 843.

"Mr. Speaker, the Kahuku Hospital issue is of paramount concern to me. The service that Kahuku Hospital provides is of vital importance to our communities on the North Shore. It is one of nine hospitals in Hawaii with a federal Medicare designation as a critical access hospital, which allows it to annually receive higher reimbursements amounting to about $1,000,000 in additional revenue.

"Since opening as a small plantation hospital in 1928, Kahuku Hospital has grown into a major hospital serving around 27,000 North Shore residents. This dramatic jump has not been without some growing pains.

"In November of 2006, the Board of Directors of Kahuku Hospital voted to file for Chapter 7 bankruptcy and to close the hospital on December 31, 2006. If this closure had taken place, Kahuku would have lost its Hospital License, Certificate of Need, and the Critical Access Hospital Designation. The critical access designation is of particular concern because it is almost impossible to renew.

"This measure is intended to allow Kahuku Hospital to file a Chapter 11 reorganization and to authorize the Hawaii health systems corporation to bring Kahuku hospital under its governance. A successful reorganization would enable Kahuku Hospital to remain open and would preserve its hospital license, certificate of need, and critical access designation. As legislators of the State of Hawaii we would be remiss if we allowed this hospital to close.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I too, am in strong support and happy that this bill is moving through. The Kahuku Hospital is so important to the rural district that I represent and the Representative from Haleiwa. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 843, HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1030) recommending that H.B. No. 1008, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1008, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just vote with slight reservations on this particular bill. And I have spoken about this particular part of the bill before. I believe it gives the Commission the ability to seek federal waivers and such. I believe that is something that should be done within one of the departments, either Department of Human Services or Department of Health, or whatever it may be, because working with the feds is not easy. There's all kinds of guidelines and rules, and what this does is that it allows them, it says that they may seek the waiver. I don't understand how they will be able to do it. I mean if they're just going to the DHS to seek it or if they seek it themselves, the Commission seeks it themselves. I do have reservations on that part.

"I think the other thing is in the previous bill it says to have it effective by July 1, 2007, and just as a little reminder, since there is a defective date I believe on this, that let's put a program in there that would be a good one, that it gives time for the DHS to be able to put the proper safeguards and rules together to be able to do it. They

said that they would need at least six months, so if we could be reminded about that. Thank you."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support. Children need healthcare. Healthcare is not and should not be a luxury. This bill is an active step in addressing the needs of many children who are without this need. Thank you, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support and very brief comments. It's our chance if we're going to achieve coverage for a child is probably the most valuable thing we could do. Every child in families up to $70,000 for a family of four will have coverage with QUEST. Any other child that's left on that for any other reason will be covered. And we finally took care of an issue at the request of the Department of Human Services Director to make sure that the newborns are taken care of, age 1 through 21. We worked with the Administration. It was a real productive dialogue. Every child will be insured. So, thank you for your support, Members."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. May I have the words of the speaker from North Kona be placed in the Journal as if they were my own Mr. Speaker, this measure was passed last year and DHS had more than ample time to work with the Chair of the Committee on Health, and they had worked together, but time has passed. This is already the second year.

"This measure is of major importance because as the Representative from North Kona stated, this will cover that gap group of children. Approximately 3,000 or 3,500 as far as medical care. In addition, this will also show that Hawaii, as a State, is on the forefront of universal healthcare as it relates to our *keiki*. It is a very important bill. It's also as Majority Package bill. I strongly support this measure and I hope all Members will also support this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1008, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

At 3:34 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1221, HD 2	H.B. No. 208, HD 1
H.B. No. 245, HD 1	H.B. No. 807, HD 1
H.B. No. 252, HD 1	H.B. No. 843, HD 2
H.B. No. 507, HD 2	H.B. No. 1008, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1035) recommending that H.B. No. 1764, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1764, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like to request a ruling on a potential conflict of interest. In my firm I advise HHSC on some procurement matters, but nothing related to this bill," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1764, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1039) recommending that H.B. No. 627, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 627, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to request a ruling on a potential conflict of interest. My wife is on the Board of Governors at Hawaii Preparatory Academy, of which I have attended and have been in the Alumni Association," and the Chair ruled, "no conflict."

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict. I'm a graduate of Hawaii Preparatory Academy, although not at the distant time as my colleague from Manoa," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1040) recommending that H.B. No. 1529, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1529, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1041) recommending that H.B. No. 506, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 506, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure, stating:

"I just want to stand up in strong support. I would also like to just to say that I'm really proud that this is going through the Legislature. I think this will really help, or I hope it will help the people of Hawaii in lowering cost of gas."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1044) recommending that H.B. No. 871, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 871, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you Mr. Speaker. In support with reservations.

"First, allow me to preface my comments by saying that I am a proponent of renewable energy.

"The Enterprise Zone is a joint effort at the State and county levels. The purpose of an Enterprise Zone is to stimulate job creation and economic diversification in areas where there is a high need. This program offers State and county tax reductions and other benefits such as an exemption from the general excise tax for up to seven years.

"This bill places more job creation right in the heart of where there are already many jobs and one of the main sources of economic growth in our State. In addition, there appears to be one company in our State providing sea water air conditioning. This one company is also in a position to take advantage of additional tax credits and special purpose revenue bonds. Policy that singles out businesses for preferential treatment is questionable under these circumstances. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1045) recommending that H.B. No. 1003, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1003, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1048) recommending that H.B. No. 1452, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1452, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker: I am in support of HB 1452. Depleted Uranium (DU) is a heavy metal. Like lead, it can contaminate water, land and air. Aside from its radioactive properties, it is a noxious chemical for human bodies. The military uses it not only in munitions, but also in the armor used to protect tanks and other combat vehicles.

"The fact that our soldiers and Iraqi civilians have been exposed to an estimated 130 tons of DU since our 2003 invasion is cause enough for alarm. Then we have the additional information that the metal has been detected in soil at Schofield Barracks, and is more than likely present at Army training grounds on the Big Island and elsewhere in our islands. As we can see, we are dealing not only with an Iraq problem. We are confronted with a local health issue!

"Legislation has been introduced in this House both last year and this year that would provide health screening for returning veterans. A bill that I introduced last year failed to pass … although a related resolution was successful. HB 1575, on the same issue, failed to get even a hearing this year. This is indeed short-sighted on our part.

"However, passage of the bill before us, HB 1452, will be a small step in the right direction. It will at least acknowledge that DU is a true health issue, both globally and locally, that can no longer be ignored. Please join me in voting favorably on this bill."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of this measure, HB 1452, Mr. Speaker. This measure is to protect the health and safety of Hawaii's residents, visitors, and military personnel and their dependents, by requiring the Department of Health to take soil, water, and air samples within 500 meters of all military bases to monitor the levels of depleted uranium.

"Depleted Uranium (DU) can be found from military defensive armor plate and from armor penetrating military ordnance, where munitions are used.

"Impact zones should be monitored where quantities of DU have been found via the ground water or food chain. Usually areas of exploded and unexploded projectiles have high levels of DU dust or metal fragments.

"DU dust can damage the kidneys and cause renal failure, lung cancer, other various types of cancer, and may adversely affect the reproductive system and cause developmental problems.

"For all of the foregoing reasons, I respectfully ask Members to favorably consider this measure."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm in support with strong reservations. The way the bill is written now, it would require that the Department of Health take soil samples, air samples 500 feet from the perimeter of any military base. I think they felt it would cost over $5 million a year.

"In the Finance Committee we heard testimony and a lot of sort of anecdotal information about what was found out at Schofield, and there was someone there from the Department of Health. As I say, I'm in support, but I don't know exactly what we're dealing with here because I don't think any of us have seen the report that the Department of Health was supposed to get from the military. It's not something you can take lightly, but it's just the way the bill is written out, so broad, and be so expensive to the State of Hawaii, that those are my reservations."

Representative Belatti rose to speak in support of the measure, stating:

"Mr. Speaker, thank you. In strong support with brief comments. Mr. Speaker, this measure is about insuring the health and safety of the people of Hawaii. With all due respect to the previous speaker, what we've learned in the Finance Committee was appalling.

"Here's what we know based on a January 2006 article in the *Honolulu Advertiser*, something that the Army confirmed. In August of 2005, 15 tail assemblies from spotting rounds made of D-38 uranium alloy, also called depleted uranium, were found by the Army's own engineering company. Since that time, 19 months, there has been no independent study.

"In the Finance Committee, a representative from the Department of Health did state that a report from the military is forthcoming. What we don't know is when that report is coming out. Notwithstanding the slow pace of the Administration, I think we, as the legislative body, should not have to take the responsibility of protecting the health and safety of the people of the State. While the measure is not perfect, it should move forward. Thank you, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I have just very brief comments in strong support. I think that in times of war and in a state where we're doing a lot of extra training where we're very focused on preparing our soldiers for two battlefronts that are abroad, that we can't be too safe with the health of our constituents. I think that a lot of people have spoken up and asked us to pursue testing. So, I do hope that we will pursue this testing and I do look forward to hearing from the advocates in this regard. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support, with reservations. Mr. Speaker, we also learned in the Finance Committee that this bill is really written a bit upside down, because it's so far away and so remote that they could find anything 500 feet outside of the base. One expert said it is ridiculous. It was a needle in a haystack that we were going to find. And then asking for us to report every three months was even on top of that. So, if we're serious, we will fix this thing and specify we're going inside of the bases where the explosion took place in Schofield. Otherwise, we're just playing around and making people look like we're trying to do something. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1452, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

At 3:40 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1764, HD 1	H.B. No. 871, HD 1
H.B. No. 627, HD 1	H.B. No. 1003, HD 3
H.B. No. 1529, HD 2	H.B. No. 1452, HD 1
H.B. No. 506, HD 1	

At 3:41 o'clock p.m., Representative Meyer requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:42 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1049) recommending that H.B. No. 966, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 966, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"I just want to voice my opposition to this measure. Most of the contractors, I think many of them are doing a good job and I think the current licensing board is doing a good job.

"I'm concerned about this constant thing that's been going on since the Governor's been in office. There's been over 109 bills since the Governor became our Governor, the first Republican in many years. Over 109 bills have been introduced by this Legislature to take away her powers as Governor, and this is one of those 109. We even were so bold to say that these bills would sunset in 2010 when she can no longer run for office as a Governor again. And so, it's for that reason that I vote against this, Mr. Speaker.

"This year alone, there's 36 bills that's been introduced that takes away her power, and I think 109 … When are we going to stop? It's been said that we can move above partisanship on this House Floor. We're having a hard time being convinced of that."

The Chair then stated:

"Representative Pine, would you confine your remarks to the bill before you. It is not 109 bills. It is the one bill that is before this body."

Representative Pine continued, stating:

"I apologize, Mr. Speaker. That's all I have to say. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 966, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 41 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Manahan, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1050) recommending that H.B. No. 639, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 639, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm am in support with serious reservations. I voted against the bottle bill every time it was up for a vote. No other state has passed a deposit beverage container law for 18 years. The bottle bill is an old idea, expensive to run, that reduces garbage volume going into the landfill by a mere 3%. Other states have gone to comprehensive recycling which includes beverage containers, cardboard, paper, and green waste all picked up at curbside. Hawaii was already doing a good job recycling aluminum because people would make a little money on the scrap value of the aluminum.

"Our bottle bill is inconvenient, costly, and creates a hardship for senior citizens."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 639, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Third Reading by a vote of 47 ayes, with Representatives Manahan, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1052) recommending that H.B. No. 1912, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1912, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIODIESEL PROJECTS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," passed Third Reading by a vote of 47 ayes, with Representatives Manahan, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1056) recommending that H.B. No. 426, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 426, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure.

"Without this bill there will continue to be unnecessary delays which plague patients who are in need of psychotropic medications. This is especially true in rural areas where there is a shortage of physicians. Studies show that untreated psychosis may be toxic to the brain and results in poorer outcomes than prompt treatment with the new generation antipsychotic medications. Research also shows that getting medication to people before they experience long periods of psychotic symptoms could increase their chances for a full recovery.

"Hawaii psychiatrists support this bill as they are aware of the good work done by Advanced Practice Registered Nurses. HB426 notes that APRNs already have prescriptive authority under Chapter 457 and thus, this bill would enable APRNs to provide efficient and cost effective care to a more comprehensive group of patients. In a rural clinic a nurse practitioner would not only have the necessary background to prescribe but would most likely be able to treat shock, read EKGs, know CPR and ACLS logarithms and protocols and be ready to care for a patient who experiences adverse effects of strong psychotropics. This is not necessarily true of a psychologist.

"As a final note, Advanced Practice Registered Nurses are appropriately educated and licensed to treat mental disorders. To disregard their ability to prescribe would be to discriminate against Medicaid beneficiaries and to reinforce the barriers existing to the practice of APRNs. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," passed Third Reading by a vote of 47 ayes, with Representatives Manahan, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1057) recommending that H.B. No. 456, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 456, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm standing on Stand. Com. Rep. No. 1057. Mr. Speaker, I just have reservations on this bill. I believe the DHS testified saying that this is already paid, the emergency contraception exemption is already paid by Medicaid. I guess I just wanted to voice my reservations being that it's already been paid by Medicaid. Thank you."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just for clarification, when medicines become over-the-counter, a lot of times they're not covered by anything. Basically, you're paying out-of-pocket for them. So the transition for medicines like emergency contraception, in this case, when it becomes an over-the-counter medicine means that someone will have to pay for it. Although it's generic, it's less expensive, it still might be very expensive for someone who otherwise would be on Medicaid.

"As the speaker from Ewa Beach had mentioned earlier today, a lot of people living on $700 or less. Our grandmothers won't be using this emergency contraception, but a lot of other women would be. And I do think that we have to make sure everyone has equal access to medications. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. This digest might as wrong, which it could be. It says Medicaid already covers this. No out-of-pocket expenses on the part of the Medicaid recipient is required on over-the-counter purchases. Medicaid recipients are able to obtain after consultation with the pharmacist. So, I'm still just kind of little confused, I guess."

Representative Lee rose to speak in support of the measure, stating:

"I stand in support of this bill, HB 456. I think the point is that when the FDA made this over-the-counter, they also made it clear that medical consultation with either a physician or a pharmacist was not necessary. So there's an access problem here. Although the Department of Human Services had said they will work to make sure that Medicaid women don't have to pay $45 up front to get their drug over-the-counter, it's not worked out yet. So, I hope this bill can be passed to make sure that the Department of Human Services follows up on their promise."

Representative Lee's written remarks are as follows:

"Mr. Speaker I am in support of this measure.

"Mr. Speaker, in 2005 the Federal Food and Drug Administration approved the emergency contraceptive, Plan B, for over-the-counter sale without a prescription. This gave women another option to avoid unplanned pregnancies. Unfortunately, these tablets can cost $45 up front or more and therefore deny access to a group of our citizens, women who are on Medicaid. This bill, seeks to directly reimburse the sellers of over-the-counter Plan B emergency contraception to women who are recipients of Medicaid, without incurring out-of-pocket expenses for recipients. The DHS says it will make provision to provide for Medicaid recipients, however, this has not been done yet! Therefore, this bill will ensure our female

population can have the needed access to this medication so that unplanned pregnancies can be prevented.

"I urge all of my colleagues to support this Women's Caucus measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 47 ayes, with Representatives Manahan, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 1907, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1907, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Third Reading by a vote of 47 ayes, with Representatives Manahan, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1063) recommending that H.B. No. 93, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 93, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," passed Third Reading by a vote of 47 ayes, with Representatives Manahan, Saiki, Takai and Thielen being excused.

At 3:48 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 966, HD 1	H.B. No. 456, HD 1
H.B. No. 639, HD 2	H.B. No. 1907, HD 1
H.B. No. 1912	H.B. No. 93, HD 2
H.B. No. 426, HD 2	

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1065) recommending that H.B. No. 273, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1067) recommending that H.B. No. 1948, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1948, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support of Stand. Com. Rep. No. 1067, H.B. 1948, HD2. Mr. Speaker, this bill will allow for the creation of Aha Moku Councils, based on *ahapuaa* management system, and I urge my colleagues to please give this bill a chance. We still need to massage it and we would like to have more discussion on it as this measure moves forward. Thank you."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support for Stand. Com. Rep. No. 1067, H.B. 1948, relating to Aha Moku. If I may just include a few short comments. The Aha Moku will provide assistance to governmental agencies on understanding and/or deciding upon the use of natural resources within a given area. Who better to present insight and information than individuals who have knowledge within each Moku? I've been told to go to the source for information. In this case, this bill is that vehicle and our Aha Moku will be that source. Thank you, Mr. Speaker."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Awana be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1948, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1068) recommending that H.B. No. 13, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 13, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1069) recommending that H.B. No. 24, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 24, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, may I speak on Stand. Com. Rep. No. 1069? Thank you, Mr. Speaker. In opposition. This measure provides for a $410 increase to teachers who go to this National Board Professional Teaching Standards. I believe, Mr. Speaker, that the number one deterrent to good education is poverty. This is my third term in this Chamber, and all I've heard is a lot of incentive for teachers, either for equipment, retention, and now for further education. I do recognize that our public education system needs some fixing, but all we've done in this Chamber is to throw money and benefits and we have not seen any result.

"What I would like to see that we should go for is accountability, to all these benefits that we're throwing, that we do see an improvement in our public schools. I think the amount of increase is not needed at this time or it's too premature. We should see the outcomes of all those benefits and increases that we have given previously, and we should lean towards accountability for all these benefits. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On that same measure, strong support. These restructuring schools need good teachers, especially when we're talking about rural schools. I stand in strong support because incentives bringing them to the rural schools. We would like to understand the wonderful things that there are at rural schools, and

sometimes distance between living in town and living in Waianae is a challenge, but with a little bit of incentive they will give it a chance, so I stand in strong support."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. As you know, Mr. Speaker, there are 155 teachers that have National Board certification. This would allow each of them to receive an additional $5,000 if they choose to go to a school that is currently in restructuring. The good, or bad news, any way you look at it is that by the year 2014, a full 100% of the schools in Hawaii will be in restructuring if the law currently continues the way it is. So everyone will be given the $5,000 bonus, I suppose.

"As you also know, Mr. Speaker, in 2004 we passed Act 51. We put into statute a $5,000 bonus for those who achieve this certification, which would mean that if a teacher today currently is in a school that is in restructuring and does not have the certification, he or she would be able to get an additional $10,000 a year should they choose to stay in that school or move to such a school.

"Mr. Speaker, there's been research that have shown that if all the certifications, whether it's graduate degrees or professional development, the National Board Certification is the one benchmark that leads to improved student achievement. That is the whole intent of this bill. Thank you, Mr. Speaker."

Representative Ching rose in support of the measure and asked that the remarks of Representative Takumi be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 24, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1070) recommending that H.B. No. 375, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 375, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1072) recommending that H.B. No. 670, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 670, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support of this bill, but I do have slight reservations. As I was working on this bill, I realized the importance for the University of Hawaii Foundation to be able to have or grant the donor anonymity. I think oftentimes what we try to do is strike a balance between transparency and, for instance, this particular part has to do with donations. Somebody requests to be anonymous or else they won't give money. So, oftentimes what we're trying to do is balance that.

"And being that there is a transparency issue in regards to this, my reservation is that it just doesn't seem right to allow people to go without having the transparency information to whatever they are donating, because oftentimes what will happen is, you just don't know whether or not there was something in return that they were getting for making the donation. That's why we're requesting for transparency. But on the other hand of this, you've also got the situation where people just don't want to have their information be provided and if it is provided, then maybe they won't give. And so, as we try to figure that out, I have reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 670, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1073) recommending that H.B. No. 931, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 931, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1075) recommending that H.B. No. 1503, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1503, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to H.B. 1503, HD 1. H.B. 1503, the Dislocated Workers Act requires employers to give 60 days notice to their employees, the union representatives if there is one, and the Department of Labor, if a divestiture occurs involving a sale, transfer, merger or any change of ownership interest. It also defines a closing for purposes of this Act to include bankruptcies and other closing for economic reasons, which may result in the termination of the workers.

"Right now, businesses under the State Dislocated Workers Act, are not required to provide notice to the employees of any sale, merger or change of ownership, unless it results in the termination or layoff of the workers. Likewise, employers covered by the federal Warren Act, of those with a hundred or more employees, are not required to provide notice to employees of a merger, sale, or change in ownership, unless there is a potential that an employment loss involving 50 or more employees will occur because of the transaction.

"Business leaders usually attempt to keep mergers and change of ownership transactions confidential because changes may negatively affect customer, vendor and creditor relationship. The notice requirement for change of ownership transactions will make it very difficult to sell and purchase businesses in Hawaii. Additionally, Hawaii businesses are not currently required to provide Dislocated Workers Act notices or layoffs and terminations resulting from bankruptcies, loss of a lease or operating losses. Many borderline businesses cannot tell from one day to the next whether they will be in business 60 days into the future.

"This bill will require faltering businesses to give that 60 day notice to the workers if there is a potential for bankruptcy or business closure due to operating losses. As a result, the workers will look for employment elsewhere. The federal Warren statute has a faltering company exception, which provides that a borderline company may provide less than 60 days notice of layoff if it could show that it was actively seeking capital or was in negotiations designed to maintain the business during the 60 day period before the layoffs or

terminations and believed in good faith that such efforts would enable it to avoid a closing.

"We want to keep these businesses and we want to keep these jobs. In such circumstances, the employer is only required to give reasonable and practical notice of the closing rather than the 60 days. The Director of Labor proposed an amendment which included a provision similar to the faltering company exception under the federal Act, but the proposal was not adopted by the House Judiciary Committee. The new requirement will push many companies into bankruptcy or closure because once the 60-day notice is given employees are likely to scatter, seek employment elsewhere and the news of the potential closure will damage relations with customers, vendors, and creditors of the company. I feel that this bill is a very bad idea and will need an amendment. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

At 4:00 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 273, HD 1	H.B. No. 375, HD 1
H.B. No. 1948, HD 2	H.B. No. 670, HD 2
H.B. No. 13, HD 1	H.B. No. 931, HD 1
H.B. No. 24, HD 1	H.B. No. 1503, HD 1

At 4:00 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:01 o'clock p.m. with Vice Speaker Karamatsu presiding.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 1518, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," passed Third Reading by a vote of 48 ayes, with Representatives Mizuno, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 963, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 963, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 48 ayes, with Representatives Mizuno, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1084) recommending that H.B. No. 1009, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1009, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"On Stand. Com. Rep. No. 1084, this is relating to claims against the State and it's dealing with the substitute teachers. I'm going to vote no on this. They've been in litigation for some time. I'm in opposition. I don't think there is any question that the substitutes have not been treated well, and I think that the court will find in their favor. I just think that we should let that play out and the State will have to pay. This bill is like we're changing the rules in the middle of the game. I'd just feel more comfortable if we stay out of it and let this court case be decided. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like disclose a potential conflict. My firm is representing the substitute teachers in the class action litigation, but I'm not working on it," and the Chair ruled, "no conflict."

Representative Sonson rose to disclose a potential conflict of interest, stating:

I'd like a ruling of a potential conflict. I'm also in litigation with the firm," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1009, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Meyer and Sonson voting no, and with Representatives Mizuno, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1085) recommending that H.B. No. 1023, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1023, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Green, Hanohano, Meyer and Sonson voting no, and with Representatives Mizuno, Takai and Thielen being excused.

H.B. No. 1023 passed Third Reading in the following form:

H.B. No. 1023

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that amending the Constitution of the State of Hawaii to allow Hawaii residents, twenty-five years and older, to be a candidate for and hold the office of governor or lieutenant governor will inspire Hawaii's young people to participate in the leadership process. There are many outstanding, qualified, and experienced candidates under thirty who are unable to run for the office of governor or lieutenant governor because of the current arbitrary age restriction of thirty years.

While there are many successful entrepreneurs, military leaders, and elected officials who are under the age of thirty, young people are generally more disillusioned with government, and feel they are

excluded and are not a part of the process. Lowering the age to twenty-five for Hawaii's top elected officials will inspire young people, who will realize the door is open and the opportunity is there for them to represent our state as governor or lieutenant governor.

The legislature further finds that a twenty-five year old, according to the United States Constitution, is qualified to run for and be elected to Congress, and therefore has the power to declare war, sending hundreds of thousands of American sons and daughters into combat, risking their lives. Thousands of Hawaii soldiers of all ages recently returned from Iraq, and many of these returning veterans are young people who feel inspired from the experience to serve Hawaii in a leadership position.

The purpose of this Act is to propose an amendment to article V, section 1, of the Constitution of the State of Hawaii to reduce the age qualification for the office of governor from thirty years to twenty-five years. This amendment will also reduce the age for the lieutenant governor, as the qualifications are the same for both offices, as stated in article V, section 2.

SECTION 2. Article V, section 1, of the Constitution of the State of Hawaii is amended to read as follows:

"THE EXECUTIVE
ESTABLISHMENT OF THE EXECUTIVE

Section 1. The executive power of the State shall be vested in a governor. The governor shall be elected by the qualified voters of this State at a general election. The person receiving the highest number of votes shall be the governor. In case of a tie vote, the selection of the governor shall be determined as provided by law.

The term of office of the governor shall begin at noon on the first Monday in December next following the governor's election and end at noon on the first Monday in December, four years thereafter.

No person shall be elected to the office of governor for more than two consecutive full terms.

No person shall be eligible for the office of governor unless the person shall be a qualified voter, have attained the age of [~~thirty~~] twenty-five years and have been a resident of this State for five years immediately preceding the person's election.

The governor shall not hold any other office or employment of profit under the State or the United States during the governor's term of office."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the age qualification for the office of governor and office of lieutenant governor be reduced from thirty years of age to twenty-five years of age?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 1277, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1277, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Third Reading by a vote of 48 ayes, with Representatives Mizuno, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 1659, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1659, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I am in support with reservations on this bill to provide that any moneys received by, on behalf of, or for the benefit of a government body pursuant to solicitation of funds by the government body to cover the costs and expenses of a State sponsored enterprise, including trips and other endeavors to generate business opportunities and goodwill for the State, shall be deposited into the general fund and dispersed pursuant to legislative appropriations.

"Mr. Speaker, I believe this is meant to address issue the fundraising efforts made by the Department of Business, Economic Development, and Tourism for Sister State Relationship Mission Trips with China and the Philippines. There was only testimony in opposition, none in favor, and this bill passed anyway. I believe these international trade or sister state relationships are usually created by the Legislature. The Administration was doing its best to help fulfill the intent of these relationships without having enough monetary support through legislative appropriations. Let us take the time to find a better solution."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1659, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Ching, Marumoto, Meyer and Ward voting no, and with Representatives Mizuno, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 1923, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1923, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Third Reading by a vote of 48 ayes, with Representatives Mizuno, Takai and Thielen being excused.

At 4:04 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1518, HD 1	H.B. No. 1277, HD 2
H.B. No. 963, HD 2	H.B. No. 1659, HD 2
H.B. No. 1009, HD 1	H.B. No. 1923, HD 2
H.B. No. 1023	

LATE INTRODUCTION

Representative Say, on behalf of Vice Speaker Karamatsu, introduced Mr. Sean Asai, a 10th grade student at Pacific Buddhist Academy. He was accompanied by Ms. Jennifer Nakanishi, Legislative Aide to Vice Speaker Karamatsu.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1094) recommending that H.B. No. 1614, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1614, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I strongly support this bill to appropriate additional funds to the Attorney General's Office for the nuisance abatement unit. This unit is helping to shut down drug houses. The appropriation would be used to fund more positions for this extremely effective office. This is a good use of our tax dollars."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support. The United States continues to gain momentum on the war on drugs in decreasing the availability and trafficking of illegal drugs. The coordinated enforcement effort of the Drug Nuisance Abatement Unit has proven to work in our communities. It is important that our children live in an environment that ensures their safety and well-being. The Drug Nuisance Abatement Unit through the Attorney General's Office in coordination with other federal, State and county officials is participatory in laying the foundation of this concern."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1614, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1096) recommending that H.B. No. 1525, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1525, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO WEST MAUI SOIL AND WATER CONSERVATION DISTRICT," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1099) recommending that H.B. No. 1719, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 48 ayes to 1 no, with Representative McKelvey voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1100) recommending that H.B. No. 1757, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Rhoads voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1104) recommending that H.B. No. 195, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 195, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"I would like to state a potential conflict, Mr. Speaker. One of the proponents of this measure is my campaign manager," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 195, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1108) recommending that H.B. No. 724, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 724, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on this measure. This is the bill that is part of the 'train tax' which right now does not go to the airport, Manoa, or really anywhere yet. I know that's not germane to the bill, but it's on the minds of a lot of the people of this State, particularly this county.

"This measure is good in the sense that it reduces the ten percent 'take'. The State has a surcharge, on top of the surcharge, which when it was estimated to be $150 million, we would get $15 million. That's the ten percent cut. This bill reduces it to five percent, and therefore only gives us a cut of $5 million. The reality is it takes $5 million for us to set up this system in the Department of Taxation in order to process the tax. But according to the Finance Committee testimony, it takes only $1 million per year, or $2 million for the biennium to actually do this. That means we're siphoning off another $3 million from the taxpayers to go into the tax coffers and not into the coffers of the City and County to build the rail, for the train that doesn't go anywhere yet.

"This is better than what it used to be, but it's not good enough. So what this bill does, it tries to get the train moving down the track, but I think it's coming not fast enough or in the right direction right now. Thank you, Mr. Speaker."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in support of HB 724 HD1. Numerous colleagues voted no to HB1309 in 2005 that permitted the City and County of Honolulu's City Council and Mayor's Administration to embark upon transportation relief measures.

"The City chose rail as the alternative. However, the State collects 10% of the tax to process the collection. The naysayers that voted no

to HB 1309 used the 10% fee retained by the State as an excuse to not support rail.

"This measure will appease and promote solidarity whereby the tax collected is not a 'cash cow', but a more realistic approach. For instance, the City retains 2% of impact fees collected by the City for the State to expend on 6 transportation projects within the Ewa Plain. Why does the State need 10%?

"This bill is the answer. The Ewa Neighborhood Board voted to support this measure on February 8, 2007. Please pass to the Senate, HB724 HD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 724, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE GENERAL EXCISE TAX," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1110) recommending that H.B. No. 1605, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 4:09 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1614, HD 2	H.B. No. 195, HD 2
H.B. No. 1525, HD 1	H.B. No. 724, HD 1
H.B. No. 1719, HD 1	H.B. No. 1605, HD 1
H.B. No. 1757, HD 1	

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1112) recommending that H.B. No. 1670, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1670, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," passed Third Reading by a vote of 42 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1113) recommending that H.B. No. 764, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 764, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I oppose Stand. Com. Rep. No. 1113. It would set up an absentee voter permanent structure. I spoke on this at Second Reading and I really had doubts whether people really would be honest about voting one ballot if more than one came to their home. Because of so much transient population, oftentimes among households you will get ballots for people who have moved out or who have been deceased. It's very tempting to be able to vote more than once. The permanent process takes a lot of work to keep it up to date. I don't think we purge our voter list frequently enough to keep it clean. Because I have these doubts, I really feel that we should go slow on this. I urge all people to vote no. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm also in opposition to the measure. I think that what this measure seems to do, and I remember from Second Reading that the idea of increasing voter participation was one of the goals with this particular of this piece of legislation. If that is the case, we do have one of the lowest, if not the lowest, voter participation in the United States. However, like with most things you always want to look at the root of the problem, and are we really looking at the root of the problem.

"Are we doing our best to make sure people understand how relevant what we do here and political process is to them and how to get involved? The fact is that it is very easy to absentee vote today. The problem is that as most of us, I'm hoping, would be willing to admit is that the list at this time is not a perfect list. It's very imperfect. Exceptionally imperfect. There are so many people on the list and inaccuracies, so would you want to make that sort of inaccuracy permanent or do you want to shore-up the list, make sure it has integrity and then move on?

"So, my question is: Am I getting to the root of the problem? I don't think we are. I think we're side stepping it and we're opening it up to, as the Representative from Laie said on Second Reading, mischief. I'd hate to have that. You know, it's a running joke. Chicago. How many dead people vote? We don't want to be known as that. So, to me, until the list is really something that we can be sure of, I'd hate to encourage more mischief. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support for this bill. I've spoken to the County Clerk on Kauai and when I first read the bill, I thought that they may have concerns. I think what the counties are trying to do is to make sure that it's as easy as possible for people to continue to vote. And if you look at the voter registration for the absentee list, the same people continue to do that because it's easier for them, senior citizens especially, to sit down in their home, watch the public channels that have the candidates on, and make their decisions that way.

"So, I know that the county clerks have been working hard on this and I urge everyone to support this bill, and to spend time with your elections divisions in your county. Because when we do that, we can have a better idea of what they are doing and the work that they are trying to do. But to give examples of people who are dead in Chicago. That may happen here, but we have a lot of good people that work in these divisions and I think that if we spend time with them, we'll try to understand that they are trying to do the best thing for us to have as many people vote as possible. Thank you, Mr. Speaker."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, I'm in strong support. I can't understand why anyone in this body would be against this measure. I think it tries to address the problem of very low voter turnout. In the elections of 2000 to 2004, we stand at the bottom. Our State is at the bottom of the nation in terms of voter turnout. In the 2006 election, we sunk to 53% of registered voters, which equals only 39% of eligible voters in our State, Mr. Speaker. Not a very proud statistic as Members that got elected in that election. We want to see more people voting.

"In the Primary Elections in 2004 and 2006, it was particularly dismal. It was around 40% of those who voted. 53%, 40%, 39% — if these were math scores, we'd all be flunked out. Mr. Speaker, we need to look at more voter-friendly type of measures, whether it be clean election, voter-owned elections, which is another measure that's

moving. Or whether it be same day registration, all of these efforts get to the root of the problem.

"In the past six years in our State, absentee voting has jumped by more than 50%. Without absentee voting, the number of people participating in our elections would even be less. And we want to make sure that that continues to grow. So this expands on this on those positive statistics.

"Now we've heard a bunch of things about Chicago and we've heard about Mayor Daly's, 'Vote early, vote often', but, Mr. Speaker, this measure has safeguards: One, you will be terminated from the absentee voter list, your name will be deleted, if the voter register is in another area. And two, if the notification postcard that is mailed to every absentee voter is returned, your name is deleted because you're no longer there. Or if the ballot is not received by the election deadline, you're not voting, you're taken off. So, all that we need are for voters to vote.

"It makes it easier, particularly for our seniors, who are 70s, 80s and 90s, not to go out and fill out another application. Their name is registered and they continue to vote.

"Now I will tell you what other countries do, Mr. Speaker. Australia would slap you with a fine for not casting a ballot. But they put incentives. They sell sausages outside the polling booths, hamburgers, doughnuts to get people come and vote. You face possible imprisonment in Chile if you don't vote. You cannot get a passport or driver's license in Greece if you don't vote. You have to show that you voted. In Bolivia, the great democracy, you don't get your salary if you don't vote, but we don't need to go there. You have the right in our country, in a true democracy, not to vote at all and give 39% of the people the right to vote and decide very important matters affecting our community. It's about getting people to vote. I think everyone should reconsider. They should say, 'yes' and let it go on and continue this debate. Thank you, Mr. Speaker."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. I'm still in opposition, Mr. Speaker. It's all well and good that you get penalized, or if you weren't there. But there still many inaccuracies with the current list as it is now. And so the truth is that once again, if you were to poll or to ask people in the State of Hawaii why aren't they voting, why aren't the people of the State of Hawaii voting. Perhaps, we should ask the people of Hawaii why they are not voting. In World War II time, people voted because that is part of their civic duty. And they don't have to go with the kind of argument of a dictator to mention extremes of forcing people to vote.

"Again, it's about showing what is the benefit derived. So, again, Mr. Speaker, I encourage education for our people to understand how relevant it is. To really make them feel that they are part of the process, but the practical reality of it is that those are not checked. I will tell you now I know those lists are not really, really clean and sound. They're not. And so the thing is why would you want to lock into that and create more inaccuracies. It's just not right. We have to get to the root of the problem. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with some comments. I agree with the previous speaker from Liliha that education and civic responsibility is, I think, my preferred way to go. I think another reason why people don't vote, sometimes they tell me they just, you know, don't ever believe their trust in government, and we're working on that with ethics bills doing the right thing. I also believe that voting is a responsibility and a privilege. And easier doesn't necessarily mean better.

"In regards to, and I know what we're worried about is stray ballots. Ballots out there may be two or three, or those sent out when people are dead and the ballots still get sent out to their homes. I had a real life experience when I was going door to door campaigning. A constituent told me it's so hurtful because I'll get a ballot in the mail or whatever, a notification in the mail and my wife died a year and a half ago. So I said, 'Oh, you know, I'm sorry about that.' He goes, 'Yeah, you know, it's hard enough and that just reminds me that she's gone.' That's here locally, in Foster Village. Not in Chicago.

"Mr. Speaker, we have a quite easy way of doing absentee ballots right now and you can still do these absentee ballots request from your home and you can still watch the TV and look at the different candidates with the existing absentee ballots that we have. So I'd just like to say that not always is easier better. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"I stand in strong support with a few brief comments. I do agree with the previous comments that there are a lot of problems, and that we do have to talk about civic responsibility and getting people involved in government at all levels. I come from Kihei, and Maui has the lowest rate in the State, and my district is the lowest on Maui. So, we're number one in the nation.

"I vote absentee. My 80-year old parents, they vote absentee. And I also know that they do find it a bother to always have to re-register for absentee for every election, as I do. And I might point out also in Oregon where they mail out all the ballots, all ballots are mailed out, they have over 80% participation. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you. Just some additional information. I believe when I was reading through the Oregon information that they had a high turnout for voting already. And I know there are other bills in regards to complete absentee ballots, so I won't go into that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 764, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Third Reading by a vote of 43 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1114) recommending that H.B. No. 1047, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1047, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1116) recommending that H.B. No. 1475, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1475, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations on this measure. I feel that this bill duplicates the Department of Human Services' request in the Executive Biennium Budget that the Governor submitted to us on December 18, 2006 to raise the personal needs allowance from $30 to $50, so that's something that this bill does. Another thing I'm a little concerned

about, and maybe it's just that I'm not reading this bill right, but we are calling this a needs allowance for individuals living in qualified facilities. The needs allowance should be administered by the Department of Human Services to pay for clothing and other miscellaneous personal needs, such as bus fare, personal, postage cost, hair cuts and other costs of day to day living.

"When you get to Section (c) on page 3, it says the needs allowance is not intended to replace or affect the funds received from the federal Supplemental Security Income Program. They go back to (d) and says the operators in adult residential care homes, Type 1 and Type 2, developmental disabilities domiciliary homes, community care, foster family homes shall pay for generic toiletries, including toilet paper, hand soap, paper towels, linens, including bedding, sheets, blankets, towels, meals and snacks for adults. As I say, I may not be reading it right, but it looks to me like they are going to be able to use that money out of the needs allowance, which previously looked like it was just for the individual's personal use. So these are my concerns. Thank you."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. The previous speaker is correct that the Governor also was requesting personal allowance moneys and it is a complex issue. It's actually listed twice in the budget because there's two different types of homes they're talking about. I believe one is a care home, and the other might be a higher level of care for that. But this is something that the care home workers community for many, many Sessions now and so it's good to have a bill that also authorizes the funds just to also support what's included in the budget request from the Administration. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I'm just kind of curious in regards to how this would be affected. In Part (d) of Section 2, it states that this shall pay for, and then it names other bunch of things. When it's required to be paid, when you're requiring it to use it for certain uses, does that mean that it's additional paperwork for the care home operators? They deal with a lot on a daily basis and I just don't want it to be so cumbersome that it's not worth the $50. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, the monthly needs allowance has been $30 since 1988, so going up $20 in 2007 seems to be fair. In fact, it's been too long awaited. The monthly needs of $50 will help to cover incidental expenses of day-to-day living. Many times we see caregivers at the health hearings and they'll testify at times or even take out-of-pocket moneys on their own to provide for some of these incidental needs. So this is long awaited and I think this is a good measure and the Administration also supports this bill. Thank you, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in support. The needs are so tight in some of these circumstances that the caregivers are using their own resources for essentials like toiletries, toilet papers and soap. I think we have to focus on these essential needs of these people in these homes. I don't think $20 is unreasonable. I think we would be remiss if we didn't take care of their essential needs. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1475, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1118) recommending that H.B. No. 436, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 436, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. This bill would include chiropractic coverage for Medicaid and QUEST recipients. The concern I have is that there is no appropriation in the bill to cover chiropractic services. The estimated cost of these figures that came from the Department of Human Services, they figured them for the population that are covered by Medicaid and QUEST could up to $7.3 million based on 24 sessions per year. Of the total amount, the federal share would be $4.1 million. That leaves the State to pick up $3.2 million. There's concern that adding chiropractic care to MedQUEST and Medicaid will increase overall cost to this program and in turn availability of care will decrease. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, just for the same reasons, I'm voting with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1120) recommending that H.B. No. 715, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 715, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Morita rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? My sister is a farmer on Lanai and will benefit from the appropriation."

The Chair ruled:

"No conflict as this is a class of farmers on Lanai."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 715, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF WATER FOR AGRICULTURAL USE ON LANAI," passed Third Reading by a vote of 48 ayes, with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1122) recommending that H.B. No. 902, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 902, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in favor of this measure, but I have a reservation. The reservation is that the bill offers a 100% tax credit and I felt that might be a little too generous."

Representative Wakai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I stand in opposition. This bill is supposed to assist farmers, but what it really does is cultivate a lot of question marks. For years the Tax Review Commission has suggested that we start to rein in our appetite for tax credits. This bill allows for a 100% of tax credit for qualified investment in agricultural endeavors. That is a very generous tax credit. So if the farm is profitable, the amount that would be credited would be the entire expense for that individual farmer or the investors. I wonder how many other new businesses have that kind of assistance from the get go?

"Speaking about qualified agricultural cost, this bill is so loosely written, it allows farms to claim credits for expenses that are not directly associated with farming and those claims can be made for feasibility studies, legal and accounting services. If we're going to promote ag, let's do so by helping farmers, not attorneys and accountants.

"This measure purports to assist farmers, but if you read the details, it allows pass-through entities to be the recipients of these credits, those folks such as partners, shareholders, beneficiaries or other members. This credit is also creating an investment tool and that is dangerous because as we've seen with Act 221, a lot of times investors dictate what happens and that might be the case with farmers having to appease investors and doing things that they might not want to be doing.

"There's also no sunset date on this credit. The bill states that if the credit exceeds taxpayer liability and it may be used in subsequent years until exhausted. That means that, perhaps, 10 or 20 years from now, investors may finally cash in on their credits and that will be a real impediment to sound financial planning for future lawmakers. There is also no cap on the credit. We have no idea what the financial impact could be. What if a hundred farmers avail themselves to a million dollars in tax credit. I doubt if future Legislatures can handle that financial impact.

"And also in this bill, the Agribusiness Development Corporation is tasked with administering this credit, but ADC director Alfredo Lee admits he has no expertise in this area. So I'm in all for growing agriculture, but not in support of the manner in which we're doing so with this measure.

"Let's provide grants and appropriations to help foster and help our farmers in need, rather than go through the way of tax credits, which lacks accountability. A change in our tax codes really doesn't happen in a vacuum. Although this is a noble gesture, this bill helps a few at the expense of many and we should certainly be moving towards a fair tax policy that eases the burden for all of us. Thank you, Mr. Speaker."

Representative Belatti rose in opposition to the measure and asked that the remarks of Representative Wakai be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, aloha. I rise in support. Thank you very much. This measure would provide a stimulus for our agriculture industry, mainly landowners and farmers who invest in their operations for critical infrastructure to assist the industry and really take a step forward.

"Mr. Speaker, the qualified ag cost specifically lists roads and utilities, ag processing facilities, irrigation systems, ag labor housing, areas that farmers and landowners will need now and in the future. This bill provides for a review and approval process to assure qualified businesses are taking the proper tax credit. This bill sends a strong message that we are committed to the agricultural industry and with further commitment towards implementing the State Constitution to identify important ag lands.

"This bill is not a 'silver bullet', Mr. Speaker. But is truly a vital segment of a much larger comprehensive package of incentive that involves assurance of water availability, loan guarantees, streamlining permitting processes for the State and county procedures, and other mechanisms to encourage agriculture.

"Mr. Speaker, we may have been unsuccessful previously in the identification of important ag lands and need this type of innovative initiatives. Philosophically, agriculture is one of our sectors that is identified in our State Constitution and deserves every support mechanism possible. Other sectors of our economy in the community have been considered and provided with tax credits.

"Now, talking about the financial impact. The Department of Taxation says and I quote in its testimony, 'This legislation will result in revenue loss to the State of approximately $27.8 million.' Is this not a magnanimous amount? Do I agree? Absolutely not, Mr. Speaker. Hawaii's annual economic impact in agriculture is nearly $3 billion annually. Comparatively speaking to $27.8 million, and I'm taking percentages into consideration, this is less than one percent of the total gross revenue. No contribution, tax loss. I think this is one side of the balance sheet. You're looking at expenses and not looking at profitability. Shame on such comments.

"Preservation of ag lands is a complex and ambitious undertaking. Although further amendment and refinement may be needed, we need this bill to move forward, Mr. Speaker. If we expect our farmers and landowners to be passionately committed, we, too, must make the first step and be passionately committed as legislators, Mr. Speaker.

"And if I may, to quote the phrase of our Honorable Speaker, Calvin Say, during our Opening Day Ceremonies this past year, 'Keep these lands green forever.' Thank you, Mr. Speaker."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, could I have the words of the previous speaker inserted in the Journal as if they were my own? I am in support of this bill. And as I listened to him, I realize how much I have to learn.

"I believe this bill, sending it to hearings gives us a starting point. In looking at some of the testimonies provided by Alexander & Baldwin, the Hawaii Farm Bureau, the Kauai Coffee Company, all in support. The Department of Agriculture and the Agriculture Research Center were also in support of the intent.

"I think this provides a starting point. We can't always agree on whether it's apples, oranges, or the voting rights of the citizens of Bolivia. But on this, I think we have a starting point. Thank you,"

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in support with some reservations. A 100% tax credit is a little bit worrisome to me, and the broad description of what they can write off. But I do want to see us support the farmers. Thank you."

Representative Pine rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be

entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose in support of the measure and asked that the remarks of Representative Tsuji be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 902, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAX CREDITS," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Belatti, Berg, Luke, Morita, Nishimoto, Saiki, Shimabukuro, Takumi and Wakai voting no, and with Representatives Takai, Thielen and Yamane being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1127) recommending that H.B. No. 1133, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1133, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to H.B. 1133, HD 1. I am an absentee voter and I don't mind re-enlisting for it every two years. I am for making voting easier and to make it increase our voter roles and our voter activity. I guess my concerns have to do with voter fraud and I think the red flags are raised when the Clerk of the City and County of Honolulu came to testify in the House Judiciary Committee on these voter bills.

"Denise DeCosta who is an excellent City Clerk, said she had reservations concerning Election Day registration, particularly in regards to the additional responsibilities that it would place upon poll workers. This last election we saw a shortages of poll workers. We didn't obtain the requisite number until the very last minute. They lacked training. And an extra duty would simply slow down the process with this shortage. We have to check to see whether the person is already registered. In some cases, you may want to compare signatures according to the Clerk.

"I think it is very difficult to have this at every polling place. If this bill does pass, we might consider allowing same day registration at select places like City Hall or Satellite City Hall. But to have it at every place just seems like it might bog down the voting process.

"The Clerk pointed out that under present law, registrants have up to 700 days to register to vote during the election cycle because you only register every two years, so that was a good point that she made. She concluded that the awareness and process of registering to vote by the deadline is a first and necessary component of recognizing ones personal civic responsibilities. Thank you very much, Mr. Speaker."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose to speak in opposition to the measure, stating:

"I stand in opposition to the measure. First, I want to say that I appreciate the efforts of the Representatives of Manoa, Waimanalo and others who are trying to raise our anemic vote totals, but I fear this could cause a train wreck, especially in the Neighbor Islands where many polling places, as the previous speaker alluded to, are very understaffed. It frightens me of the potential to fraud and abuse, not to mention the fact that elections results already come within the wee hours of the evening. I would just hate for this body, in the guise or in the lofty goal of trying to get voter turnout increased opens a gate to rampant fraud and abuse.

"If you would just indulge me briefly, this reminds me of a piece in history, the Battle of Thermopylae where 300 Spartans basically defended a pass against a troop force a hundred times its size. At the conclusion of the battle, the Persian general said, 'Well, we achieved the victory,' to which his aide turned around and said, 'Yes, but at what price is this victory?'

"So, I just would urge this body to really consider amending this as a pilot program for major areas, such as the county of Wailuku, or City Hall to see if it works before we thrust this thing upon all these small areas. We were having a hard time getting poll workers to begin with. Thank you."

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representatives Marumoto and McKelvey be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. I think that we need to do everything we can to get people to go out to vote and elect who they want to represent them. I think the previous speakers have actually pointed out some of the areas we need to improve in. As we move forward, I think we should be looking at maybe raising what we pay poll workers, that we use our electronic technology today and have the other ways of proving people, who they are and where they live or whatever. There are ways to do this. We're in the year 2007 and I can't believe we can't solve the problems that have been mentioned by previous speakers.

"We just need more people to get involved in government and I just see this as a move forward for our State. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I think, people have an unfounded fear when it comes to some of these speculated fraud and abuse. When you look at other states that have already done this, they really have not encountered such problems. There are already seven states that permit Election Day registration Idaho, Maine, Minnesota, Montana, New Hampshire, Wisconsin and Wyoming. And I think most of those states, what they've found is that actually having same day voter registration has increased their voter participation by an average of about 12%.

"For those people that do have concern about fraud, what we did do in the bill was we made sure that there are safeguards so that when we check to make sure that the person actually does reside there and is somebody that can vote, on page 2, there are those safeguards. And so for those reasons, I think the fears about fraud is something that is unfounded.

"On a more elemental basis, I think the thing we always have to remember is that voting is a fundamental right. It's a fundamental tenet of our democracy. Anything and everything we can to make sure that everyone has access to that right, and participates in that right, and exercises that right is something that we should look at. We shouldn't be creating barriers no matter how unfounded our fears are towards that fundamental right. Thank you."

Representative Green rose to speak in opposition to the measure, stating:

"I have just brief comments, please. In opposition. I do agree that its critical to get more people voting. I just think that people have every two years to register. And in West Hawaii it's often chaos on

Election Day. I mean absolute chaos. We had so few people at the polls and I just think we are going to melt down in some of the areas. One time, in 2004, it took an additional six hours to get the votes over to Oahu.

"I don't think there will be fraud. I just think that the whole election process could collapse in certain areas. So I would like the recommendation to see a pilot program paid some heed as we go forward rather than to do this statewide project until we know that there won't be collapse. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I think what the previous speaker, which has part of the Maui speaker's point of view, is very, very well taken. Rather than going statewide on something, and possibly screwing up, we should do it slowly and methodically.

"We have to face the fact that, I think it was Chicken Likin, 'We found the enemy and the enemy is us.' We are part of the barrier that people don't vote. They don't feel we're trustable. They don't feel we're accessible. They don't think we're sensitive. We're reactive. We're not meeting their needs. I would like to see this in the ethics bill that's coming up later to really engage the people in a discussion. I know that that's not on the subject now, but we are playing with the system.

"I know it's well intended. We try to do it with 'motor voter'. You get your license, you get your voter registration. You can even open your phone book and you can get your registration. We have all kinds of ways, but we really need to face the issue seriously. So if we're going to really play around with this again, let's pilot it, and do it in an area that doesn't disrupt the entire system. Because quite frankly, as the Representative from Kahala said, if you're not computerized and you got these people coming in floods, and you're using the paper system we have now.

"We are inviting confusion and chaos. If it's not computerized, we don't have the equipment, we don't even have the money to pay for the people who are running the polls right now. So, not to have the equipment is really to invite a lot of 'hanky panky'. People are not inherently dishonest, but if you leave the keys in your cars, if you leave the system so open for vulnerable attacks, we are 'cutting our nose to spite our face' by doing this. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I think we're leaning the wrong way. If you look at the 2004 presidential election, Ohio, of course, is the 'lynchpin' State. If half of the credible stories about voter fraud there were true, they were all denying the people to vote who should have been able to vote. I think we are overly concerned about potential fraud going this way. In the age of computers, as one of the Representatives mentioned, we should be able to cross-reference very easily and quickly and I support this bill. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"I'm in support. Thank you, Mr. Speaker. I think the Representative from Aiea said it best and I don't think I can improve upon that. However, the suggestion to, perhaps, designate one particular place per county is not a bad suggestion and if the bill comes back from the Senate, we'll be sure to look at that because if we can get 100% support on that, I think it's worth it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY REGISTRATION," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Awana, Ching, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine and Ward voting no, and with Representatives Takai, Thielen and Yamane being excused.

At 4:50 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1670, HD 2	H.B. No. 436, HD 1
H.B. No. 764, HD 2	H.B. No. 715, HD 2
H.B. No. 1047, HD 3	H.B. No. 902, HD 2
H.B. No. 1475, HD 2	H.B. No. 1133, HD 1

At 4:50 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:10 o'clock p.m. with Vice Speaker Karamatsu presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1128) recommending that H.B. No. 1767, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1767, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure. The intent of this bill is to provide the State with the best value possible by creating a streamlined process in the Procurement Code to contractors in jobs over $150,000 that use design-build, rather than design and then build to construct a project.

"Currently, Mr. Speaker, the State will often award one contract for the design portion of a project and then come back for the funding for the build portion. This is a big reason why our traffic projects are so far behind. It is this archaic two-tier system that will often draw a project out over many years. Not only does this create a delay in completing the project, but during this time the cost of materials will often increase as well. The net result, Mr. Speaker, is that many projects will often fall short of the money allocated by this body and the Governor will be forced, as past Governors have done, to notify the Legislature that there are insufficient funds allocated to do the project and let the funds lapse back into the general fund.

"This bill is also a good measure in that it will reward companies that have a proven track record of design-build projects to be awarded certain State projects through this system. For our State Department of Transportation, this will allow them to issue design-build roadway projects to companies that have proven to the State that they can bring these jobs on-line successfully and have the proper personnel to undertake this type of hybrid contract work.

"Mr. Speaker, the people of this State have waited too long as infrastructure projects continue to fall behind and our quality of life deteriorates at an exponential rate for us not to embrace anything that will ensure that the government can move faster to deliver what is long overdue.

"As a final note, I must point out that the federal government also sees the value in this type of project work as they are now funding these types of design-build projects at a higher proportion. The bottomline is that anything we can do to speed up government projects and reward companies that excel at this type of progressive project should be encouraged."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Third Reading by a vote of 48 ayes, with Representatives Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1129) recommending that H.B. No. 687, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 687, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. Some corporations are created more equal than others. As in Animal Farm, some pigs are more equal than others. This is a schism between good and bad, between responsible and irresponsible, between corporate, some that are holier than thou, and some that I think are going to probably take on a political statement because this is socially responsible corporate Hawaii.

"If we look at the corporations in Hawaii as we have now, those that give millions of dollars and volunteer hours and hours and put their blood, sweat and tears, hire 80%, Mr. Speaker, of all of our employees in the State. To pass the bill that says we are going to create a new type of corporation, we are going to split those from being socially responsible to implying that those exists now, in effect by default are socially irresponsible.

"In wrapping up, I would suggest that this is not going to be good for the morale of the corporate structure of the State, as well. I would probably even be convinced that if you changed the name of it, from something 'socially responsible corporation', so maybe 'alternative corporations', or perhaps 'public-private corporations'. But to say that some are responsible, some are not responsible, it just doesn't have the right spirit behind it, Mr. Speaker. Having said that, I am not supporting this bill."

Representative Caldwell rose to speak in support of the measure, stating:

"In support. Brief comments and response to the previous speaker. We're not talking here about creating a new corporate statute. We are talking about creating a task force to do a study, to make recommendations as to whether we should move forward in this area.

"Mr. Speaker, what we're talking about is trying to urge corporations in the end to support their employees and communities and by rewarding those corporations that already do. Plain and simple. It doesn't mean that they have to do anything at this point. It's a task force to find out. In the end, we are trying to incentivize corporations that already do have to get a corporate license in order to incorporate to put out the best business practices. So, all it is is a task force. The next step comes later, depending what the task force finds. It's a good bill. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In the interest of time, just opposition with written comments."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I am in opposition to this measure to create the Responsible Business Corporation Act. I believe that this is an anti-business piece of legislation. If you are not a "Responsible Business Corporation" then you would be an "Irresponsible Business Corporation". Although this bill is in its infancy, I argue that we do not need to be headed in this direction."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in support of this bill.

"House Bill No. 687, House Draft 1, sets up a task force to consider the root problems that this Legislature must grapple with every Session and the bill asks this task force to do so in a unique and innovative manner. House Bill No. 687, House Draft 1, establishes this task force to:

> [D]etermine how to authorize the establishment of corporations structured to recognize, as corporate interests, the interests of employees and of the public in areas such as wages, the environment, and consumer protection, and provide incentives for incorporation of responsible companies that not only consider the public interest in doing business but integrate the public interest into the structure and duties of the business.

"In the nearly half-century that has passed since Hawaii became a State the modern corporation has emerged as the dominant institutional force in the world – even eclipsing the sovereign powers of the State. But as corporations have gained immensely in legal rights and economic power, the scope of their responsibility towards society at large has narrowed significantly.

"Marjorie Kelly, founder of *Business Ethics* magazine, writes in her book, *The Divine Right of Capital*, that a number of massive changes in the nature of corporations have placed them increasingly out of step with reality:

1) *Increasing size.* Today, among the world's one hundred largest economies, fifty-one are corporations.

2) *The shrinking of ownership functions.* While we still call stockholders the owners of major public firms, they do not — for the most part — manage, fund, or accept liability for "their" companies. Ownership function has shrunk to virtually one dimension: extracting wealth.

3) *The rise of the knowledge economy.* For many companies, knowledge is the new source of competitive advantage. To allow shareholders to claim the corporation's increasing wealth — when employees play a greater role in creating that wealth — is a misallocation of resources

4) *The increasing damage to our ecosystem.* The rules of accounting were written in the fifteenth century, when to the Western mind nature seemed an unlimited reservoir of resources and an unlimited sink for wastes. That is no longer true, but the rules of accounting retain fossilized images of those ancient attitudes.

"It is imperative that we seek out new models of corporate structure and governance as we move further into the 21st century. House Bill No. 687, House Draft 1 will provide the necessary vehicle. Thank you, Mr. Speaker."

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I am in opposition to H.B. 687--Relating to Corporations. While I support the intent of this legislation, because of the following

concerns stated initially by the Department of Commerce and Consumer Affairs, I must oppose this bill in its current form.

"My first concern is that the bill does not give the task force the discretion to determine the viability of the new corporations. The bill mandates that the task force recommend how to create a new corporation. But the task force of experts may need discretion to determine whether one is possible at all.

"In addition, the mandate does not permit the expert task force to suggest other creative solutions. An inflexible mandate for the task force should be given the discretion to explore different solutions. It would also deter expert volunteers to join such a task force since they would fear liability if the task force fails to agree upon legislation. In any case, the task force should be given the discretion to explore different solutions.

"Last, this bill suggests that existing corporations are not responsible corporations, which is not the case."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Third Reading by a vote of 40 ayes to 8 noes, with Representatives Belatti, Berg, Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1132) recommending that H.B. No. 1377, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1377, pass Third Reading, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict of interest. At my firm, I represent HHSC on some procurement matters, but nothing within the scope of this bill," and the Chair ruled, "no conflict."

Representative Green rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, just a potential conflict of interest. I do contract work as an emergency room doctor at two of the HHSC hospitals," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1377, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 48 ayes, with Representatives Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1133) recommending that H.B. No. 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Saiki, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1136) recommending that H.B. No. 408, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 408, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising on Stand. Com. Rep. No. 1136, in opposition to this bill. The purpose of this bill is to create a buffer zone to protect farming operations by prohibiting industrial, commercial, and residential development within an unspecified number of feet from the property line of any parcel in which farming operations are being conducted.

"This buffer zone is, as I read the bill, will be on the other person's property, not the farm, rendering hundreds of square feet of property that the private property owner will not be able to use because it will have to be left as a buffer zone. This is problematic because it would unnecessarily restrict development on these properties. The cost of real estate is high already even for a small plot of land. Imagine buying a small lot to build your first home and come to find out you can't use a thousand feet of your property, and now you have to build a much smaller home, and you have all this empty good space. That would be very discouraging for many people.

"It is also not a way to give notice to a potential buyer because this is not a true encumbrance of the land. The buyer has no way of truly knowing what they are buying. I think this bill has some problems. I know they are trying to protect the farms so that we don't have conflicts between the property owners, but it seems like sort of a one way thing. It's not the farm that must give up land. It's the people that buy the property around them. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition, also. I had a problem with this bill because like the other previous speaker, it seemed to co-op the land of the person who owns the area next to the farm. I thought that might be construed as a taking. In addition, the number of feet the buffer zone is left blank, and so I did not know whether this meant 5 feet, or 500 feet, or 5,000 feet. So that is the reason for my no vote. Thank you."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"With reservations. In my district, I've got 500,000 acres of conservation land. I've got 400,000 acres of agricultural land. I have no rural land and I have very, very little urban. Ninety eight percent of the people I represent live on ag land, and I don't know how this is going to impact them under the Ibarra decision. Probably 75% to 80% of them are illegal now. And this is just going to complicate their lives. Thank you."

Representative Sagum rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"On Stand. Com. Rep. No. 1136, HB 408, HD 2: Relating to Agriculture, I will be voting yes on this measure as I agree to the right of a landowner to farm his land. However, I question the fact that the bill imposes a restriction on properties abutting the farm. Thank you, Mr. Speaker."

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations also. I don't believe that this kind of situation can be legislated. It really has to be looked at on case by case basis. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report No. 1136 for House Bill No. 408 HD2, Relating to Agriculture. The purpose of this measure is to create a buffer zone to protect farming operations by prohibiting industrial, commercial, or residential development within an unspecified number of feet from the property line of any parcel in which farming operations are being conducted.

"I'm reminded of the words of Ralph Waldo Emerson who said, "The first farmer was the first man, and all historic nobility rests on possession and use of land." This measure is extremely important because it ensures the crops and land used for farming does not suffer from pollution, contamination, or even denial of sunlight from the development of factories, skyscrapers, or homes. Farms are the very heart and soul of not only Hawaii, but also America, and in the interest of keeping our country strong, I ask my colleagues to act patriotically and support this measure's passage."

Representative Ching rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I am with reservations in support of H.B. 408 – Relating to Agriculture, prohibiting any industrial, commercial, or residential development within an unspecified distance from property line of any farming operation.

"While I understand the intent of protecting the right to farm on agricultural properties, prohibiting lawful activities on the adjacent properties may raise legal questions regarding the "taking" of property rights.

"From a general application standpoint, prohibiting development within an arbitrary number of feet of farmland would unnecessarily restrict development Statewide. H.B. 408 could have the unintended effect of discouraging farming throughout the State by jeopardizing farming operations with short term leases that landowners view as impeding use of neighboring parcels. Additionally, H.B. 408 could effectively prohibit developments as small as a single home in certain regions of the State where farming operations abound, depending upon the number of feet ultimately specified in the bill. The cost of real estate in Hawaii is high enough already. H.B. 408, if passed may increase the cost of Hawaii's real estate by reducing the amount of developable land."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 408, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Saiki, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1137) recommending that H.B. No. 527, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 527, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose, stating:

"Thank you, Mr. Speaker. This is a bill, originally it was against flavored tobacco products, but that's been taken out of there. It's having to do with selling cigarettes and not making it very easy for people to buy them. I'm just confused in the language. Let's see who introduced this. I wondered if I could just ask a question of the introducer of this bill?"

The Chair addressed Representative Mizuno, stating:

"Representative Mizuno, would you yield to a question? Or would you like to request a recess?"

At 5:21 o'clock p.m., Representative Mizuno requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:22 o'clock p.m.

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, during the recess I was able to get some clarity on this bill and I will support it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 527, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Bertram and Souki voting no, and with Representatives Saiki, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1140) recommending that H.B. No. 1832, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1832, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in opposition to the measure, stating:

"I'm standing in support of this very bad bill. Yes, I'm in opposition. The purpose of this measure is, supposedly according to the first part of the bill is, if you ensure that adjoining properties are to be allowed to display signs, that it will not interfere with traffic safety, or otherwise endanger public health and safety and welfare due to their size and location of their display.

"I think that the experience in the prior election has been that there are signs that are posted on residences and in some particular residences there may be just too many signs. But although we do have an over-proliferation of signs, as weird as you can probably imagine, there has never been any, any incidences where anyone ever got injured where there is any danger to traffic, or personal safety of any individuals. Maybe somebody might be offended by a sign, but it's a problem only to those who probably don't like signs at all.

"In Waipahu, I have been complimented on many, many occasions by the fact that I display signs that are pleasing and easy to remember. Someone once told me they saw 100 signs that I posted up, but in actuality, I only had eight. The reason that they said that I had over 100 signs is not because I had a hundred signs. It's because they're posted in very strategic locations.

"And signs are very important, especially to the young candidates, and candidates who are not well supported by the establishment, or have lots of money, or who have a rich uncle, or people that have a lot of money or a rich wife, or whatever may be the reason. To start off a campaign as an unknown candidate, you've got to use signs. You have got to use sign waving. You have got to use these things that are cheap, but proven over the years as very effective and

accepted by Hawaii. People on the mainland may have different opinions about how we campaign, but posting signs in Waipahu is an acceptable practice. People who own homes welcome signs. In fact, they don't care sometimes how many you put up.

"I do disagree that you can have too many signs on each property. But the way that the bill is crafted, it really, really limits the size of the sign so that even if you do, even I, in my own personal experience, posted in those strategic locations, it will not have the same impact. It will now require me to spend thousands of dollars probably to mail things. And, of course, the fact that I need to spend that kind of money that means I have to do a lot of fundraisers. And, you know, there's a lot of setbacks to that. You have to commit to certain things when you have to do a fundraiser. That's pretty bad. I wouldn't wish fundraising on anybody in this particular body.

"I think that the signs are an effective way to campaign and I think it's an effective way for people in the community to participate in the voting system. It is a way to encourage people, basically, to vote. Because they see your picture there, or they see your sign there. They're going to say, 'Right on. I'm going to go vote.' Right on, Sonson. There you go. This bill is an 'anti-Sonson' bill, pretty much the way I see it. But you know, those people who don't use sign it's easy for you to vote yes on this bill. But those of you who have started out just like me, an unknown person from Waipahu, not financed by the people that usually finance, it is the only way to get your name out.

"So, please, if this bill is going to move forward, let's do something about it so that it's not so draconian so that people such as myself who have a slow start, would have an opportunity to participate in the legislative process, in the elections as a candidate. There are people out there in the community who would like to participate as a supporter of a particular candidate, not just one because, you know, as soon as I hand two of my signs, *pau*. No one else can put a sign in that particular location. I don't want to hog the place. So we have to encourage these homes to participate in the process, and the way to do that is not to limit them on how many signs they can put on or the size is to this certain degree that the bill calls for. Thank you very much, Mr. Speaker."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition of this bill, as well. I invite you to come to Farrington Highway, at the corner of Farrington Highway and Paiwa Street, you will see a very beautiful sign there that says, *Kung Hee Fat Choy*. That's a way to communicate to our constituents, Mr. Speaker. Now and then I put those signs up and it's a way to remind them that they have a Representative in the district.

"And as far as posting these campaign signs, it's a decision of the private property owners, Mr. Speaker. And if this bill is to go forward, it should be decided by districts. I realize that certain districts on Oahu are thoroughly appalled by these signs, but there are also districts that welcome it. So, I don't think it should be decided on a Statewide basis. The districts, the communities, should decide it amongst themselves whether they want this or not. So, I'm asking that this bill should not go forward. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in support of the anti-Sonson bill, which means I'm against the bill. I'm against the bill and I'm in opposition.

"In Waipahu I have the most admiration and I would just say the highest admiration for what he did before he spoke what he just spoke about. Because he has gone the route. He's walked the talk. He has put himself out there. And not only because of what he did, but because of what the signs indicated. It's not only anti-Sonson, it's anti-freshman, at which I speak of at the present. It's anti-newcomer. It benefits everybody here who's been in this Chamber for a number of years because your name recognition is up. You don't need big signs.

"And it's also anti-soccer league, anti-soccer mom, anti-football. They got banners that are six feet wide, sometimes eight feet so they can sell *huli-huli* chicken or they can get people to come out. This, for the sake of what otherwise is a small group of people who have kept billboards out very wisely, who have kept the aesthetics of Hawaii because our environment is our economy and our economy is our environment.

"I think we are going too far down the line, because I can remember when some of us first started even running for office, we couldn't put signs up. It had to be constitutionally forced through the courts. And now I think for the sake of those who are comfortable within this body, now solid incumbents, this has a leg up and advantage, and I would like to side with Mr. Sonson with his remarks."

Representative Evans rose to speak in support of the measure with reservations, stating:

"In support with reservations. I would like to see this bill continue with a discussion because I think one of the nice things about Hawaii is not having a lot of billboard signs and a lot of advertising signs on the roads, on the streets. I understand what the previous speakers spoke about, but this still would allow signage.

"One of my reservations, though, is I believe each county has rules on their signage, especially during campaign season, on banners and such. I do believe maybe if we do pass something, we have to remember that homerule also, needs to address signage. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support. I'm one of those first-time candidates. I had one sign, one banner. And it was stolen. You know, I think when people say you need to put your name out there, but I think it's more important that you be active in your community. That's basically what people knew me for. It was that I had activity already. So they knew my name, not because I put it all over the place, but because of my activities.

"Also, it was quite a lot of signage litter. During the election season and after, people didn't take them down. They were everywhere. So I am in support."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I can't let the opportunity pass to also compliment the Representative from Waipahu. I saw your signs myself. The colors were vibrant. Your complexion was perfect. Your hair was immaculate. You looked handsome. But the bill doesn't outlaw signs. It just limits the signs. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just a vote with reservations as I would like to see this still move. But I guess it doesn't stop you from, and I've seen this before on the corners, having multiple signs of the same name. So, in regards to addressing the problem, there's that. And then there's some other language that I think could be tightened up. Thank you."

At 5:34 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:34 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1832, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Cabanilla, Manahan, Sonson and Ward voting no, and with Representatives Saiki, Takai and Thielen being excused.

At 5:36 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1767, HD 1	H.B. No. 408, HD 2
H.B. No. 687, HD 1	H.B. No. 527, HD 2
H.B. No. 1377	H.B. No. 1832, HD 1
H.B. No. 1, HD 1	

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1142) recommending that H.B. No. 1830, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1830, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just in opposition to Stand. Com. Rep. No.1142. This issue has come up, it seems like for the fourth year in a row. I'm just going into some of the history of this bill and I'm going to try to keep it as short as possible as I have promised.

"The history of this bill is that across the mainland in the late 1990s, especially in large urban, metropolitan areas, like New York City, they're on the polar end of the U.S. from us, phenomena of abandoned babies were beginning to spread. And so particularly troubled were those babies that were left in dumpsters. There were some succumbed to the fate of dying in trash bins. And henceforth these abandoned children were dubbed 'dumpster babies'.

"Following this, several states, starting with Governor George W. Bush of Texas, began to pass laws known as 'safe haven' bills that provided anonymity for mothers wishing to leave their unwanted children at safe spots, such as, hospital, fire stations, police stations. And some of the other states, 42 as of now, followed suit and passed legislation based on these 'safe haven' concepts where a mother or parent can leave their child with closed or complete anonymity in hopes of saving the life of the child.

"However, recent studies have begun to show that these laws don't address the issue and rather they tend to at best, fail to remedy the problem, and at worse they exacerbate it. The crux of the problem is this. There lies at a point on a continuum where privacy is placed in polar opposition to life. In other words, both short term and long term, and not to mention the pursuit of knowledge. In other words, the assumption is that if we do not allow a mother to leave her baby anonymously, the mother will leave the baby for dead. And conversely it will allow her to leave it anonymously at a hospital, the baby will not be left. These philosophical questions are not easily answered, but please look at the bigger picture.

"The bill, relying on the assumption that any form of identification places undue stress and burden on the mother and causes her to 'dump the baby' is just not factual. Many anecdotal findings show that the mothers are not in a meditated state of awareness, and that they are not aware of any law that allows them to legally leave their baby at a hospital. They are just plain distressed. And that is why they leave the baby. So reasoning, such as a mentally affected mother who has lost her child, make it necessary to pass safe haven laws with faulty logic. Why did someone in that state of mind plan out an action and actually leave their child now at a fire or police station? If they had a premeditation, they would look up their numbers in the white pages and do it properly.

"The law places too much reason, logic and legal knowledge on a subset of mothers who quickly dump their child in unsafe conditions, and, moreover, this law places a new stress on our first responders as they would have to examine the newborn and take care of them.

"The proper resolution here in Hawaii, as we are known for having a much more open, inclusive, and special culture based on heritage here in the islands, which is unique, and a unique attitude towards the family, which is unique, as compared to the very large and anonymous mainland. Many people here in the islands often start a conversation, 'I didn't know you were related to so and so. I didn't know that.' We have a very unique culture. Is there any question why the two last states holding out are states number 49 and 50? I've been to Alaska. Alaska has ironically, if you can exempt out their climate, a lot of similarities to Hawaii because we are states that are based a lot on who their unique tribal culture is. Our word for it is *'hanai*.'

"The proper resolution to mother's abandoning their children is not to create a temporary fix or have any flawed bill with good intentions. The problem needs to be properly addressed. Why do mothers abandon their babies? What kind of stress and heavy burden causes them to put a newborn in such extreme conditions? The answer is not to pass a law that simply turns our police stations and fire stations into adoption agencies. The order of the day should be to strengthen an environment that helps these mothers and their children through education.

"I introduced a House bill 1836, which is based on a proven measure called the Project Cuddle which is a toll free line used in California. And ultimately, rather than placing a mother's privacy rights against the newborn's needs to survive, they need to cohabitate in an area of law and society. In safe haven bills, there has been a situation where a boyfriend actually dropped off the child without the mother even knowing it. But, of course, there's no way to prove it.

"I have an article, quite recently, of the Olympic skier Dawson reuniting with his biological father."

Representative Finnegan rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you, Minority Leader. Olympic skier Dawson was lost. He's here with this father. He was on TV recently. He was lost in a Korean market when he was three years old. Just lost. And his father couldn't find him, so he was put in an adoption agency. And then just recently was reunited after his decades long search. What he said was he was going to make it his life long goal to help people to find their biological parents.

"And with all due respect to adoptive parents, adopted children feel just as strongly. But the fact is that when you pass a safe haven bill, and it's from this report, by the Adoption Institute out of New York City, where some of these began. The Adoption Institute quotes, 'Safe haven bills ignore the psychosocial importance, to adopted people as children and later in life, of information about their origins, ethnicity and social backgrounds. The overwhelming majority of adoption practitioners and mental health professionals today, including ones who do not necessarily embrace the rapidly growing practice of open adoption, agree about the benefits of having personal, as well as medical information, and that they maintain this information. The organizations of adults who are adopted in response to confessional consensus were insistent in the opposition of legalized abandonment.'

"What you're doing with this kind of bill is you are not ensuring that you will save a life. You are ensuring that you presume to steal the heritage and the genealogical information from time to eternity

for not just the adopted person, but for all of their progeny to come. That's quite a theft for a dream that you might save a child. Everyone wants to save a child, but there's no proof that a woman who is in that a distressed time be open to these laws.

"The kind of people who will use these laws are sophisticated kids who know what the law and statutes are and would usually go to their mom and dad. And so what you are talking about is you're stealing forever the heritage of a big group of people,

"I have spent time in adoption circles and they want to be here today, but the fact is that a lot of them have to be somewhat quiet on this issue. But they're so fearful that we will pass this law. So, I speak for them. Thank you."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Chair. Mr. Speaker, I rise in support of H.B. 1830, H.D. 2. The intent of this bill to ensure the safety of infants who are unwanted and whose natural parents are unready or unwilling to care for them. The provision for safe haven will enhance the infant's chances for survival and for safe adoption.

"The best interest of the child should have high priority over possible prosecution of a parent who is unable to care for the infant. If this bill passes and saves one child's life, then I believe this bill has done a great service to the world and not just to Hawaii. Thank you, Mr. Chair."

Representative Shimabukuro rose in support of the measure and asked her written remarks, and the remarks of Representative Awana be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in support of HB 1830 HD2. I am pleased to be among the thirty or more of my colleagues who introduced this bill.

"When the bill was heard by our Committee on Human Services and Housing, it received strongly supportive testimony from church and social agencies, as well as a number of concerned individuals.

"By passing this legislation, Hawaii will join 41 other states who have passed safe-surrender laws to protect newborn infants who might otherwise be abandoned.

"This bill is almost the same as one the Governor vetoed last year. The difference is that this bill takes into account her objection by requiring written information on the family medical history of the child.

"Please support this bill and give our Governor another chance to sign this long overdue legislation."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'd like to have the words of the speaker from Makakilo [Nanakuli] placed in the Journal as if they were my own. In support, Mr. Speaker.

"First of all, this measure is not about adoption, heritage, identification, or genealogy. They are all important social aspects, but keep in mind, if we do not protect the lives of our most innocent and helpless among us, our newborn babies, these all become moot issues. Adoption is only tangentially related to the safe haven measure that we are going over today. Again I state, that if a baby is placed in a dumpster and dies, adoption is a moot issue, as well as, heritage, identification, or genealogy.

"Mr. Speaker, I wanted to make a couple of corrections to the previous speaker who stated that 42 states have enacted this legislation. Today we have 47 states, and Alaska is not among them. However, Hawaii, Alaska, and Nebraska have this legislation moving through their Legislature.

"In 2003, both the House and Senate passed H.B. 133. This is very similar to the measure that we are going over today. Unfortunately, it was subsequently vetoed. Nevertheless, if these three states where this legislation is being passed, with this measure, obviously we could have before the end of 2007, all 50 states with safe haven laws. In addition, Mr. Speaker, we believe that we have addressed the Governor's concerns to try to secure the medical and lineage information of the birth parents of that baby that will be dropped off at a safe haven.

"I do have a concern, though, Mr. Speaker. Every year in Hawaii, approximately 9,000, we have approximately 9,000 unintended pregnancies. This represents 49% of all pregnancies in our State. And even more troubling is when we look at our target group, our youth, ages 12 through 19, they have approximately 1,500 unintended pregnancies a year. And an even more daunting statistic is that 78% of these teen pregnancies are unintended. That's about eight out every ten teenage pregnancies are unintended.

"Mr. Speaker, we have problems. In fact, after talking to one of our colleagues, I looked up Project Cuddle on the Internet, and they even talked about how prevalent baby abandonment is. I'm looking at their website. They state that in the U.S. it's estimated that 57 babies are abandoned daily, everyday across the U.S. They calculated that that comes out to about 20,000 abandoned babies in the U.S. And keep in mind, when we're talking about parent's rights, nothing precludes the mother or the father from going back and trying to reclaim their child.

"What I'm saying is they come to a point of panic. They just don't know what to do. So, I agree with the speaker from Liliha. What mother would go to such drastic means? It could be a number of reasons, but we know it happens. And at that moment, when they lack clarity …"

Representative Sagum rose to yield his time, and the Chair "so ordered."

Representative Mizuno continued, stating:

"Thank you, Mr. Speaker. You may lack clarity. That baby could be saved. And, again, nothing precludes them or their family from going back and trying to reclaim that baby.

"Mr. Speaker, I would also like to note that if we are going to talk about adoption, I would like to state that after reviewing the national data, so far we've got 1,116 babies that have been adopted, that have been received at safe havens. All 1,116 have been adopted. And I want to talk about something else that's actually very encouraging. Of all these adopted babies, some of them had developmental disabilities, down syndrome, fetal alcohol syndrome, autism, mental retardation, and some babies were even HIV positive. Again, bar none, all of them were adopted.

"This program works. It not only saves lives, but we adopt those babies. If we do not adopt the baby, again, heritage, lineage, genealogy, all that is moot. We're not going to get to that because that baby doesn't have a life. It's our duty, Mr. Speaker, to protect our newborn babies. We already have laws to protect our aged, our blind and our disabled, but yet, we fail to have protection for the most vulnerable and innocent in our population – our new born babies.

"These babies are within 72 hours of being born, without sin and completely hopeless. They need our help. Mr. Speaker, for the foregoing reasons, I believe that Hawaii is poised and ready to join the vast majority of states. I humbly ask that our Members pass this

measure for the sake our babies and to save lives. Thank you, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Very briefly in support. Members, just two hours ago we passed a measure to provide healthcare for every single child in the State of Hawaii. I think we'd be remiss if we didn't continue that commitment to our *keiki*. I just think that the time is here. I dread the possibility that a baby will ever be abandoned and die, and maybe this will just stop that, be it one, two, or three cases over the next several years. If I have an opportunity to do that, I think that, although I respect totally all the reasons that have been given, while we should respect heritage first, but I think we have to protect those children. So I err on the side of passing this bill. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"I am speaking in support of the bill. Just very briefly, I appreciate all the comments made about heritage and how it had to really be the preferred way. But we have to face reality out there, and the reality is that we had testimony referring to EMS, whose paramedics delivered 10 babies, not all at once. But still they did. You had a 12-year-old actually deliver a baby, that she didn't even know she was pregnant. So, we really, really need to talking about some, this may not be a pretty reality, but it is a reality and we have to accommodate it. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise and before stating my position, I want this body to know, and particularly my colleague from Liliha, that I have the highest regard, the highest respect, and the profound understanding from where she is coming from. I rise in support of the measure.

"I rise in support as an adoptive parent who has adopted from a country that does have large numbers of babies abandoned and does have safe havens. The issue in this bill is an attempt, as many have stated very well, to save lives. Unfortunately, where there is a life without a heredity or a genealogy, there is still a life. And I have read the Governor's veto and I think those statements about the future adjustment are well taken. But as we know as Americans, life, liberty and the pursuit of happiness. Life is still the 'trump card'. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in favor of this measure, and simply request that the words of the Vice Chairman of the Health Committee and the representative from Hawaii Kai be adopted as my own, and I ask for a yes vote on this important Keiki Caucus measure. Thank you."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. And I appreciate the indulgence of this body. And I take very special interest in this bill, as many of you may know, because I'm adopted. And, so, being at the adoption circle, I can speak on behalf of those babies who grow up.

"I guess I'm not saying this in plain English enough. Maybe I need to be more articulate about it. There is absolutely no proof that this ends abandon babies. And I refer to the Evan B. Donaldson Adoption Institute out of Wall Street, New York, New York. Unintended consequences. Safe haven laws are causing problems, not solving them. And they came out with an NCSL report that says, that since we conducted this comprehensive survey of infant abandonment, actually it didn't even have an affect. There were still many abandonments. There just were, because people who are going to abandon their babies, are just going to abandon them. But I can assure you, there are ruined lives for those that would have been properly taken care of.

"We're talking about, when we talk about abandoned babies, there are accounts of that on the mainland, but Hawaii's unique. Hawaii doesn't have that problem. I call this the 'Chicken Little' bill. 'The sky is falling, the sky is falling.' Everyone is familiar with the Chicken Little fairy tale. It's about a little chicken who gets hit on the head with an acorn and says to all his poultry friends and his farm animals, 'The sky is falling.' And so they run and they follow the Chicken Little. They follow all these other states, and what happens they follow right into the jaws of the fox.

"I am a mother. I know how much a baby needs, and I would never support a bill that would put anyone's child in danger. But I'm also an adopted child and I speak on behalf of those children. It's funny that anyone would put heredity first. It's not about putting heredity first. It is, of course, putting the child's life first. But what I'm saying is in plain language, this does not assure that you save those babies, but it does assure you ruin someone's life.

"You know, I'm just concerned that people are not aware that there are a number of states that are looking at these laws, but it's going to be too late 20 years from now when you can talk to somebody and they say, 'Well, I don't know. I don't know.' It's a fundamental question. Who am I? And where did I come from? If you take philosophy, if you know philosophical. It's a fundamental question. Who am I? And where did I come from? And I maintain that this bill takes away all of that. It takes away medical history. And it doesn't have any proof that it saves lives. Thank you."

Representative Shimabukuro rose, stating:

"I just have a point of order. For clarification, I think the Vice Chair of Health meant to include the comments of the Representative from Nanakuli, not Makakilo. Thank you."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"1. Again, this measure is not about adoption, lineage, or heritage. All are important concerns, but we only get to these topics if the new born baby is first saved. For our babies who are abandoned and die, adoption, their genealogy or heritage would not become an issue.

"2. In fact, one of the most alarming concerns I have, are for those babies who are left in a dumpster or grave and never found. They will not be counted as a death or even a statistic, never given a proper burial, nor a chance to grow, attend school, play games, contribute to our community. Remember, adoption is not an issue if the baby dies.

"3. The right to life is a fundamental right – guaranteed by both our State Constitution in Article 1, Section 5 and U.S. Constitution in the 14th Amendment, which provides in relevant part, that "no person shall be deprived of life, liberty or property…"

"4. We are really saving two lives; first we are saving the new born baby from death and second the mother. If the mother is caught abandoning her baby and the baby dies, she will most likely be prosecuted for murder or manslaughter at the least. National data indicates that a mother prosecuted for murdering her new born will probably get a sentence of 25 years to life and cost the state approximately $1 million to house them in a correctional facility

"5. We are confident that we have addressed all of the concerns by the Governor and that the right to life will prevail (adoption or heritage is moot if the baby is dead).

"6. This is a simple test – balancing: the right to life of our new born baby versus the empirical data of the mother (medical history). We need to do everything we can to protect the most vulnerable in our population, which are our newborn babies. Members, it's time let's pass this measure and save lives!"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1830, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Ching and Meyer voting no, and with Representatives Carroll, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1143) recommending that H.B. No. 34, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 34, pass Third Reading, seconded by Representative B. Oshiro.

Representative Caldwell rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Caldwell's written remarks are as follows:

"It was Dr. Martin Luther King, Jr. who once said, "In the end, we will remember not the words of our enemies, but the silence of our friends." For the past four years, the situation in Darfur has deteriorated and the international community has failed to take meaningful action. Since last December, the humanitarian situation there has spiraled out of control. Former Senator Bill Frist recently returned from a medical mission trip in Darfur, and wrote this in the *Washington Times* on March 4, 2007:

> In the last few months, an all-out war has begun against the 13,000 foreign aid workers in Darfur. This has dried up humanitarian assistance flows on which Darfur depends. As many as 400,000 noncombatants have already died in Darfur. These new attacks could easily bring the toll above a million.

"The Sudanese government is directly responsible for the violence, as financially and militarily supports the murderous Janjaweed militia, continues to mount air raids against civilians, and refuses to allow desperately needed U.N. peacekeepers into the country.

"Our country already prohibits American companies from doing business in Sudan. However, American investment companies are free to invest billions of dollars in the Asian and European companies who prop up the Sudanese government. HB 34 would divest the State of Hawaii Employee Retirement System from targeted companies whose dealings aid the government's genocidal actions, but have minimal positive impact on common Sudanese people. An example of such a company is PetroChina, a Chinese energy company that has built airports from which Sudanese air raids are conducted, and which is protected by 3,000 Chinese troops stationed in Sudan. The ERS investments in companies like these help fund genocide, as more than seventy-percent of Sudan's oil revenue is spent on its military. Moreover, these kinds of investments evade pre-existing sanctions against Sudan in a roundabout manner. Investing in companies that financially support Sudan's military flaunt these sanctions and effectively makes the State of Hawaii complicit in genocide.

"To understand our responsibility to stop genocide, we must look at its historical context. During the Nazi holocaust, at least nine-million people died while the rest of the world refused to get involved. In response, the U.N. introduced the Genocide Convention in 1948, which the United States signed on to in 1988. This convention requires the international community to prevent and stop genocide wherever it occurs. That we have allowed genocide to continue in Darfur for the past four years is shameful and sets a dangerous precedent. N.A.T.O. intervention effectively ended the Bosnian genocide after 10,000 people died, yet many more people have died in Sudan and the Sudanese government shows no sign of change. There is much more that the international community can do to pressure Sudan, and divestment is a step in the right direction. What is at stake is not only the future of Sudan, but the future of the world we live in. Are we to live in a world where genocide is met with apathy or compassion? Passing HB 34 is the least we can do to pressure the Sudanese government and contribute to a larger effort to stop the violence."

Representative Green rose to speak in support of the measure, stating:

"Mr. Speaker, very briefly, and in strongest support. This bill asks the State of Hawaii to divest any of its investments from our ERS in the Sudan. Therefore, where there is a tragedy going on, where there's really a tragedy of the worst proportion. It's genocide.

"I'm just going to begin and end these comments with the following numbers: 400,000 are dead in Darfur. And, 2.3 million Sudanese are displaced, and thousands are raped every month. Thousands of women are raped every month in Darfur. It's the very least that we can do as a body to send a message to the other states in our country, to our Governor, and to the President of the United States. We divest a small amount of money that we have invested in that country so that the people around the world can say that Hawaii, for one, says it has to stop. Thank you."

Representative Takumi rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takumi's written remarks are as follows:

"Mr. Speaker, we all need to be concerned about the staggering atrocities occurring in the Darfur region of Africa's largest country, Sudan. It is hard to fathom the carnage and destruction: over 400,000 deaths, another 2.5 million displaced, and 90 percent of Darfur's villages destroyed.

"It's easy to forget that these impersonal numbers reflect personal stories such as those reported by Nicholas Kristof of the New York Times: "Refugees fleeing to Kalma from a village called Saleya described how nine boys were seized by the Janjaweed (the government-backed militia) stripped naked and tied up, their noses and ears cut off and their eyes gouged out. They were then shot dead and left near a public well. Nearby villagers got the message and fled." (*New York Times*, June 7, 2005)

"In the face of such human catastrophe, one can't help but recall Holocaust survivor Elie Wiesel's admonition that "to remain silent and indifferent is the greatest sin of all." Fortunately, there are a growing number of voices that are speaking out and making a difference. The Congress and President Bush have all agreed with the United Nations that the genocidal policy of the Sudanese government is the worst humanitarian disaster in the world today. While laws have been passed in the U.S. that prohibits American companies from doing business in the Sudan, dozens of foreign companies continue to profit off of this tragedy.

"Unfortunately, the investment community in the U.S. still continues to hold stocks in some of these worst offending foreign companies. For example, Warren Buffet's Berkshire Hathaway is a large investor in PetroChina whose parent company is active in Sudan. The Sudanese government then uses the revenue from these oil investments to fund its military's campaign of ethnic cleansing in Darfur.

"Hawaii has the opportunity to join a growing number of states, six at last count, by directing the Employees Retirement System (ERS) to divest from a limited number of foreign companies whose investments serve to prop up the Sudanese regime. The measure

before us is carefully crafted to limit the ERS' financial risk by targeting roughly two dozen multinational corporations out of approximately 400 companies doing business in Sudan. By being selective in where the divestment should occur, it puts economic pressure on the Sudanese government without hurting community-based investments that benefit the people. Well-respected organizations such as Human Rights Watch and the International Crisis Group endorse this approach.

"The bill gives the ERS 15 months to see if the "worst-offending" companies are responsive to change and, if not, to then completely divest. Furthermore, if the ERS drops below 99.51 percent of its investment value without divestment, it can reinvest in certain companies. With a portfolio currently at $10.7 billion, this would mean that a drop of roughly $52 million would relax the bill's divestment requirements. All these provisions will allow us to disassociate from investments that fund genocide while being financially prudent.

"Whether or not divesting our pension funds in this manner will end the genocide in Sudan is not certain. However, what is certain is that by doing so, we affirm our belief that investments are not only about how many cents you earn on the dollar, but how much moral sense it makes as well. After all, genocide tragically happens from time to time, but it shouldn't be on our dime."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of this measure, HB 34, Mr. Speaker. The purpose of this measure is to express Hawaii's opposition to the humanitarian crisis presently occurring in the Darfur Region of Sudan, by prohibiting the Employees' Retirement System from acquiring securities of companies that have active business operations with Sudan.

"I support this measure as it intends to make a statement for the protection of lives and to make a statement against genocide or any offensive acts towards human life or rights.

"I commend the introducers of this measure and note that the Lieutenant Governor and some of the Administration's offices also provided testimony in support of this measure."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Standing Committee Report No. 1143 for House Bill No. 34, Relating to the Employee Retirement System. The purpose of this measure is to express Hawaii's opposition to the humanitarian crisis presently occurring in the Darfur Region of Sudan by prohibiting the Employees' Retirement System (ERS) from investing in securities of companies that have active business operations with Sudan.

"The late President Ronald Reagan said, "Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same." HB34 is an important measure because it boldly states that Hawaii will not idly stand by those who oppress and torment a people through acts of genocide and injustice. As long as Sudan continues to support paramilitary forces such as the Janjaweed which raid villages, rape women, and torture children, as long as Sudanese Air Force An-26s, MiG-29s, and Mi-24s bomb civilians and intercept humanitarian aircraft, we will not be complicit in dealing with them.

"Mr. Speaker, if you keep running from the schoolyard bully, he keeps on chasing you. But if you stop, turn around, and hit him really hard in a sensitive spot, he thinks twice about persisting in pursuit of you. It's time that we told Sudan that genocide is wrong and that we will not look the other way while they torment the people of Darfur. I vote a strong "yes" and urge my colleagues to do the same, because we have to let our children know that there were those who fought injustice with others chose to collaborate."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1146) recommending that H.B. No. 1561, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1561, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This is relating to labor, the cross check requirement. This bill would force employers and employees to enter into cross check agreements as a condition of receiving State work or money from the State.

"You may wonder what is a cross check agreement? It's an agreement that stipulates that the employer agrees to a union agent to advocate for the union by meeting with workers and soliciting them to sign a card supporting the unionization of their shop. The employer agrees to recognize the union once they sign up with simple majority of workers and to bypass the secret ballot election process employees usually use to vote on whether to be unionized or not. Nothing in state or federal law prevents an employer from voluntarily entering into an agreement with a labor organization that wants to organize and do cross checking.

"The federal law has a long tradition of recognizing the rights of workers to join labor unions. Since the passage of the Wagner Act in 1935, federal law has protected employees' exercise of their free choice to decide whether to join the union. Mr. Speaker, the affect of this bill would be to allow labor union organizers to use the cross check procedure to intimidate employees of certain firms into voting for union representation. Currently, voting on whether to join a union is done by secret ballot. No one knows how anyone voted. This bill would eliminate the fundamental protection of the rights of workers.

"In essence, union representatives could coerce employees individually. Take two or three of them. They may be going out to the truck or maybe they might catch them at the local watering hole, or whatever, but just take them on one at a time. Then they might be asked to sign a card saying that an employee favored the idea of unionizing a business. If they refused, if they were not cooperative, then the union organizer would know who were opposed to the union and they could retaliate against them. This is exactly the same as if union representatives or members of some other special interest group were allowed during a political election to follow you into the voting booth, telling you who you should vote for, and then threaten your job or even your physical safety if you didn't 'toe the line'. Would anyone in this Chamber put up with such a fundamental invasion of their right to privacy?

"Mr. Speaker, why should our rights during a union election be any less than during a political election? The cornerstone of our democracy is the right to a secret ballot. Are we willing to join the company of despotic regimes that confiscate this fundamental

protection of the integrity of elections? I think not. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I stand in support. Mr. Speaker, it was rather ironic to hear the previous speaker talked about the intimidation and all the rest of it. In 2005, a study was done by the University of Illinois in Chicago, and they found the following truth about how employers go about intimidating workers who exercised their right to form a union. 30% fired were union workers. 40% threatened to close work sites if workers chose to unionize. And 90%, a vast majority, forced workers to attend one-on-one meetings where they talk singly, alone with that worker about their views about having a union. Is it any wonder that in 91% of union elections, the majority of workers indicate they want to have a union, but after months and years in some cases of intimidation by the employers, less than one-third of those workers actually end up voting for a union. I do not go chapter and verse, Mr. Speaker, about examples of workers who have been fired from their jobs for exercising the rights as guaranteed by law.

"It's interesting we talk about despotic regimes and so on. The latest institution to exercise that is the U.S. Congress which just passed out the Employee Free Choice Act the other day, 241 to 185. So H.B. 800 has now passed the House and will go to the Senate that would do precisely this. Thank you very much, Mr. Speaker."

Representative Sonson rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I request the words of the Chair of Education be incorporated into the Journal as my own. And I'd like to state that this bill seeks to ensure the labor organization process is fair and with a minimal conflict with the employers.

"H.B. 1561 will establish labor representation procedures in development in which the State or counties have an ongoing propriety interest. Specifically, the bill allows for cross check procedures to be implemented. These procedures are aimed at reducing cost to employees and employers by voting potential work stoppages and other costs associated with labor conflicts.

"The bill adds a new chapter to HRS and provides for various cross check or card check procedures, including the following: One, employers working on State or county projects must enter into a cross check agreement. If the parties are unable to agree on the cross check agreement, after 60 days the bill provides for binding arbitration. Two, it includes in subcontract the requirement of compliance with this Chapter. And three, penalties for noncompliance.

"In short, H.B. 1561 is a simple, yet very effective way of ensuring efficient organization of labor with the least possible amount of conflict with employers. The bill will prevent possible intimidation of workers who seek to gain representation via the labor organization and allow them access to resources provided by such organizations for their benefit. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1561, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 42 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Carroll, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1147) recommending that H.B. No. 569, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 569, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1148) recommending that H.B. No. 1352, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1352, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1149) recommending that H.B. No. 567, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR SPORTS FACILITY," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Rhoads voting no, and Representatives Carroll, Saiki, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1152) recommending that H.B. No. 895, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 895, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Brower voting no, and Representatives Carroll, Saiki, Takai and Thielen being excused.

At 6:09 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1830, HD 2	H.B. No. 1352, HD 1
H.B. No. 34	H.B. No. 567, HD 1
H.B. No. 1561	H.B. No. 895, HD 2
H.B. No. 569	

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1155) recommending that H.B. No. 56, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 56, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Evans, Marumoto and Meyer voting no, and with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1158) recommending that H.B. No. 1435, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1159) recommending that H.B. No. 751, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 751, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Marumoto voting no, and Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1160) recommending that H.B. No. 758, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 758, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to Stand. Com. Rep. No. 1160 and will say briefly and ask for comments into the Journal. Basically, it's a micromanaging and taking business, I believe, to the extent where we have to tell them to give employees a break. In the Finance Committee I asked, 'Does anyone have proof of any business in any part of Hawaii working anybody for five hours and not giving a break?' There's no evidence that this is not already been provided for. I think if we get down to the point where we have got to say, 'break now,' we're really over-steering the economy and those who are at the risk of the small business community."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in opposition. This bill requires employers with 50 or more employees to allow rest or meal periods for employees who work more than five consecutive hours. With the exception of Child Labor Laws for 14 and 15 year old minors, no State or federal law requires meal or other break periods.

"This bill is unnecessary, however, as many employers already provide meal breaks or other break periods voluntarily for their employees. Employers are aware that employees need periodic breaks from their work to be effective, and realize that productivity is better when employees are rested and in good health. In other words, Mr. Speaker, this is already happening.

"On another point Mr. Speaker, this bill does not consider that some employees may want the option of working through breaks or meals. It is common that employees will request to work through the work period, so they can go home early. In this time of incredible rush hour traffic, this is a regular request. Employees may also need or want to get a job done on time, and need the time of the break period to get it done. A lot of our staff face this situation on a daily basis.

"Mr. Speaker, this bill will have a negative effect on business. The increase of government mandates will increase the costs to businesses, and that will have a negative effect on the economy. For instance, in the retail industry and other related industries, superior customer service is required for success. This requires well developed staffing schedules in order to insure the customers will be assisted. By mandating a single, standard requirement in an industry of a variety of requirements, businesses will not have the flexibility to meet the needs of its operations.

"This bill is also too difficult to enforce. The Department of Labor and Industrial Relations testifies that they lack the resources to enforce this Act. The scope of this law will add additional investigation requirements and will further serve to increase pressure on an overburdened department staff of seven investigators who are responsible for conducting more than 700 investigations and responding to more than 22,000 inquiries annually. We do not appear willing to increase the resources to the department in this area.

"Mr. Speaker, for all of these reasons, I am in opposition to this measure."

Representative Sonson rose to speak in support of the measure, stating:

"I'd like to point out that the measure will exclude businesses with 50 or fewer employees. Also we've been working for over five hours without a meal break, so, obviously, it is a problem out in the real world as it is here. This measure will ensure that those large companies with 50 or more employees will provide this opportunity for their employees to have a meal break. Thank you."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support with reservations. There have been numerous situations where an employee wanted or needed to rest, but unfortunately the needs of the workplace superseded the health and safety of the employee. I am quite sure that this bill stems from such a concern.

"On the other hand, situations arise when employees are requesting to work without a break in order to complete their work shift earlier. I believe this bill will hamper the employee from being allowed to work straight through their shift. Both situations place legislators in a precarious situation depending upon the needs of both the employee and employer. However, the safety of our workforce should always serve as our highest priority. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. And I was just wondering if we were going to take a recess so our employees can take a break for dinner."

The Chair responded, stating:

"We will take a break right after we finish."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 758, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," passed Third Reading by a vote of 43 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1161) recommending that H.B. No. 760, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 760, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this bill, Stand. Com. Rep. No. 1161, relating to a living wage for workers on service contracts. In opposition.

"I'm concerned that this will set up two minimum wage floors. That's what the minimum wage is for. And now we're setting a new entity which is a living wage. I guess, I just believe in the free market. Right now, we have an unbelievable figure of unemployment. Anybody who wants to work can find a job. People are having to pay significantly more than the minimum wage. If we think that the minimum wage is not effective, I guess we can look at raising that again. But to have this two-tiered arrangement, I'm just not in favor of it. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 760, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS," passed Third Reading by a vote of 43 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1162) recommending that H.B. No. 763, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 763, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takamine rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takamine's written remarks are as follows:

"Mr. Speaker, I am against H.B. 763. I appreciate the effort that went into fashioning House Bill 763. While it contains a number of good provisions, there are two particular concerns that force me to oppose it at this time.

"First, Mr. Speaker, is the additional exemptions written into the bill. It took over four decades to create the nine categories of exemptions, currently part of the worker's compensation law. I understand that the worker's compensation law is intended to be broad-based, to provide the protections to any worker who is injured while in the course of their employment.

"Yet the bill before us would increase the number of exemptions to the law, by almost 50%, increasing the number of exempt categories from 9 to 13. 30,000 is the number of people that has been mentioned, that would go from protected employees under the current law, to no longer being covered by the law.

"But my concern is not merely the number of people affected, Mr. Speaker, my concern is that we have yet to be provided with critical information. Specifically, the Department of Labor and Industrial Relations, which administers the worker's compensation law, and testified in support of the additional exemptions, failed to provide significant and relevant information.

"This included the number of those individuals that would be exempted, who had actually filed worker's compensation claims, and how much they had collected. This would give us a clearer understanding of what impact removal of these individuals from coverage, would have on the total premium picture. This would provide us with some insight, regarding the economic consequences of this specific action, especially on employers.

"Mr. Speaker, because worker's compensation has always been a sensitive issue, I believe that it is not prudent for us to be rushing into expanding the number of exemptions as proposed in this bill, without knowing the clear economic consequences that will follow. I submit this would not be wise policy making.

"Moreover, Mr. Speaker, another provision in the bill would include the so-called "ODG" guidelines in the law. While the bill proposes that the guidelines only be "optional", it is noteworthy that no one from the medical community supported this provision, and in fact all of the testimony from the medical community on this provision was against including it.

"One of the critical factors adversely affecting the worker's compensation system is the lack of doctors who are willing to treat workers with industrial injuries. This factor alone is a major impediment to injured workers, and prevents them from receiving the basic benefits intended under the law.

"Testimony heard by your Labor Committee indicated that this is due a number of reasons, including the bureaucratic paperwork that is necessary to get paid, and the hurdles created by adjusters who attempt to limit the medical treatment approved for the injured workers.

"Given this concern, it seems we would be adding to the problem by including factors in the law that the medical community is against. Particularly on the Neighbor Islands, this is a very serious concern. Many injured workers are having grave difficulties finding a doctor who will treat them, and therefore, are being forced to deal with all of the adverse consequences of not receiving adequate medical care promptly.

"Mr. Speaker, though, there are some provisions in the bill that I feel would improve the law, for the above-stated reasons, I will be voting no."

Representative Marumoto rose to speak in opposition to the measure, stating:

"On Stand. Com. Rep. No. 1162, H.B. 763, H.D. 2 Relating to Worker's Compensation. I was in opposition to this measure. I'm just wondering whether it's the right vote after the previous Representative's announcement. However, a similar bill was passed by the Legislature last year and was vetoed by the Governor. And for the same reasons, I am in opposition.

"Also, there isn't any method of selecting a doctor and conducting an independent medical examination and so I question that process. I think the new process will delay independent medical examinations and I think this would be a mistake. I think any determination of the end of temporary total disability should be made by a doctor and not by the Department of Labor. Thank you very much."

Representative Takamine rose, stating:

"You know the previous speaker was contemplating reaching the same position. I'm sure it was for very different reasons. Thank you."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Sonson rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sonson's written remarks are as follows:

"I am in strong support of this measure.

"The purpose of H.B. 763 is to make changes to the process by which workers' compensation claims and investigations are carried out in order to ensure the efficiency and fairness of the workers' compensation system. The current system is burdensome to employers and injured workers because of the costs of workers' compensation premiums, the potential for bias in independent medical evaluations and the delay and length in the resolution of claims.

"H.B. 763 makes the following major changes to HRS Chapter 386:

1 Exempts from Workers' Compensation requirements:
- Individuals holding ownership of at least 50 % in an employing unit, including corporations, partnerships, limited liability partnerships, and sole proprietorships, if the individual chooses to be excluded, provided that the exclusion shall be irrevocable for five years;
- A partner of a partnership, a partner of a limited liability partnership, and sole proprietor from workers' compensation requirements;

2 Prevents *essential medical services* from being discontinued in the event of a dispute, until the Director renders a decision on whether medical treatment should be continued;

3 Prevents *Temporary Total Disability benefits* from being terminated until the Director issues an order or if the employee's treating physician determines that the employee is able to resume work and the employer has made a bona fide offer of suitable work within the employee's medical restrictions.

4 Allows for the *recovery of costs* from a claimant's personal health care provider or other appropriate occupational or non-occupational insurer by an employer or employer's insurer in the event unwarranted medical treatment was provided;

5 Allows injured workers to be referred for *vocational rehabilitation* where the employee has achieved maximum medical improvement and the employer has made no offer of permanent suitable work;

6 Establishes criteria for the use of optional *evidence-based guidelines* for treatment and for the denial and dispute processes; Medical providers may use the most recent edition of "Worker's Comp," or any other guideline approved by the Director.
- Presumption: treatment guidelines are presumed to be medically necessary and correct, and may be rebutted by a preponderance of medical evidence.

7 Provides for reimbursement of medical treatment expenses which should have been denied;

8 Allows for requests for hearings by employees and employers;

9 Limits the rulemaking powers of the Director;

10 Establishes requirements and standards for *independent medical examiners* to perform independent medical exams;
- When parties cannot mutually agree on an IME, the Director provides three IME's. If the parties cannot choose, the Director appoints one IME.
- IME's must be licensed in Hawaii and subject to peer review, and be certified by the American Board of Independent Medical Examiners or other certification organization approved by the director.

11 Permits claims for attorney's services;

12 Requires the submission of *annual reports* by workers' compensation insurers to the Director and Insurance Commissioner of the Department of Commerce and Consumer Affairs;

13 Allows for *alternative dispute resolution* for workers' compensation claims.

"H.B. 763 is a comprehensive measure that seeks to address various issues by providing clear standards by which independent medical examiners are chosen and the method by which they carry out their examinations. The bill provides a mechanism for the selection of IME's and the necessary means for disputing examination results. H.B. 763 also provides a new means of claim resolution in the form of alternative dispute resolution and/or arbitration of claims. Relief is provided to certain classes of employers by exempting limited partners and sole proprietorships from having to comply with workers' compensation requirements. Injured workers are protected by the provisions in H.B. 763 which ensure continued medical treatment until a final determination of the claim by the director of labor and industrial relations.

"I urge all my colleagues in the House to vote in favor of this comprehensive and thorough bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 763, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Marumoto, Meyer, Takamine and Takumi voting no, and with Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1164) recommending that H.B. No. 1082, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1082, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS OF WATER SUPPLY," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Rhoads voting no, and Representatives Carroll, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1167) recommending that H.B. No. 1660, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1660, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Takai and Thielen being excused.

At 6:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 56, HD 3	H.B. No. 760, HD 2
H.B. No. 1435, HD 1	H.B. No. 763, HD 2
H.B. No. 751, HD 1	H.B. No. 1082, HD 2
H.B. No. 758, HD 2	H.B. No. 1660, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1168) recommending that H.B. No. 1043, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1043, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1169) recommending that H.B. No. 1755, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Rhoads voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1170) recommending that H.B. No. 859, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 859, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Pine voting no, and with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1171) recommending that H.B. No. 1500, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1500, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I appreciate your letting me go back on the page. I'm standing in opposition to H.B. 1500, H.D. 1. This is a bill dealing with unemployment insurance, unemployment benefits and the contributions that employers make into the Unemployment Fund.

"This bill, as it's written right now, will increase the weekly benefit allowance for unemployed workers from 70% to 80% of the average weekly wage. Right now, I think it's at 70% and it's probably the highest in the nation. The idea of increasing benefits at this time when we have such low employment just seems counter-intuitive. Jobs are available, they are readily available. The unemployment benefit was never considered to be something to make you whole, but something to hold you over until you find the next job. So, it seems strange that we're going to increase the benefits at this time.

"But the bigger problem with this bill is Section 3, which would bring us out of conformity with federal Rules regarding experience rating. This could trigger a whopping new federal tax bill. The total amount paid by business could actually increase under this bill with the lowered State employment insurance premiums offset by rising federal taxes.

"The bill purports to be lowering the premium for our employers. Right now Hawaii has one of the highest thresholds. The employer is paying on the first $35,000 of their employee's wages. They are making contributions on that, into the Unemployment Trust Fund. We have over $500 million in that trust fund right now. Employers have been coming to the Legislature asking for at least the last four years if they could get some kind of relief because we just keep building up this Trust Fund and they keep having to pay into it, and they would like to have a little relief.

"This bill was sort of a compromise. It would raise the benefits for the employees and try to give the employer some kind of relief on their contributions. But because of the point that I have made that we would be out of conformity, it could actually cost them more.

"The other thing is, Hawaii, like many other states, has an experience rating when they figure what an employer must pay into the Unemployment Fund. That means that the Department of Labor takes a look at their experience, how many of their employees have lost their jobs? How many have been collecting benefits? And the companies that have not such good experience or they have lots of employees taking out of the Fund, will pay a slightly higher rate than those that have had very few employees collecting unemployment.

"But the bill, how it's worded, all companies would be treated the same. I think if you really want to give employers a break, and acknowledge the fact that they've been paying a lot and we've collected a lot of money in that Unemployment Fund, the way they should do it would be to adopt a language from H.B. 1385, which simply lowers the maximum taxable wage rate base from $35,000 to the national average of $13,000 for the next five years. This was an attempt to kind of help both sides, but I think it's pretty much failed. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose, stating:

"Mr. Speaker, I had wanted to speak on 1171, but I will insert my comments, but just a parting shot. This could be the best business bill that we could enact if we followed some of the recommendations spelled out by the Minority Floor Leader."

Representative Marumoto's written remarks are as follows:

"In rising to speak in favor of HB 1500, I believe that this bill could be the best thing to help businesses, job creation and the economy as a whole in Hawaii today.

"In the Unemployment Security Fund sits half a billion dollars – a lot of money that could be used in Hawaii's economy rather than sitting idly in a fund. It can only be accessed when unemployed people file for unemployment compensation. And with our low unemployment rate in recent years, the money keeps piling up uselessly in the bank.

"Employers are required to continue paying into the employment security tax into this Fund despite the large balance, and very few workers are filing for 'work comp' payments. What is needed is an unquestionably legal way to stem the flow of money into the UI Fund. A moratorium for a few years would be the best method to keep money in our businesses and in Hawaii's economy. This has been done twice before in recent memory. The money could be used for business expansion, salary increases, job expansion, increased revenues to government and even profits. The moratorium can be ended whenever necessary.

"Another certain method to stem the hemorrhage of money is to lower the taxable wage base on which the tax is calculated. The Governor has proposed a lower rate. Or calculate the base at $7,000, the minimum required by federal law.

"If we cut the outflow of money from our businesses, it would be the best thing we can do for Hawaii's people. This could be the best bill to help employers and employees –especially since our economy now appears to be leveling off."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1500, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1174) recommending that H.B. No. 1067, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1067, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure. This bill would basically examine the Certificate Of Process (CON), a law that was enacted in the late 60s and has not been looked at by the Legislature since then. Think about what changes have occurred in the medical technology field since that time. To think that the process by which new facilities, equipment and medical delivery systems are allowed to come on line has not even been examined by this body in over 40 years is simply mind-boggling.

"The main intent of this bill is to convene a blue-ribbon panel composed of all the stakeholders in the health care industry to examine the CON and make recommendations to streamline the process or abolish it. The fact is that, despite the oft-cited federal government review of the process that came to the conclusion that the CON should be abolished; such a study does not have the buy-in of the doctors, the insurance providers, hospitals (public and private) and other entities that are involved in the health care industry in Hawaii.

"It is imperative to note for the public that no bill abolishing or even streamlining the CON will not even get a hearing by the first Committee if the stakeholders (with their fleet of lobbyists) don't sign off on such an effort. Without their buy-in, we will be in an endless cycle of these types of bills dying before even getting off the ground and, as such, things will never change.

"At the same time, I recognize the fear of those who think that this would be another study that would forestall any progress and that is why this panel has to complete their work in time for the 2008 session. Furthermore, changes are made to the CON in this bill that would flip the process so that the final hearing on the application would be held in the area where the project is located and if there is, as I like to call it, a split in the circuits, the local board would have the final say.

"As I said during my campaign, I envisioned the CON process being reformed to be like that of the court system with the appellate level, for lack of a better word, being on the island where the project is located. For my Oahu colleagues, it wouldn't change anything as it stands now. We put the date to 2009 to act like a stick so that if the panel fails to put forth their recommendations, or if the Legislature fails to act on them, then these changes to the CON that are embodied in this measure.

"Contrary to the actions of a very misguided malicious individual who has used the Internet and the newspapers to wage a hate war against Maui Memorial, this measure does not seek to punish Maui Memorial, but will actually help them in exempting them from certain CON processes as well, should the panel fail to do its work in a timely manner. Right now Maui Memorial, even with affirmation from all sides, has to go through the CON process to obtain new equipment, expand facilities and so on. The time lost is essential, but the money spent on the process are funds that can be used for repair and maintenance, as well upgrading the facility instead of being spent on jumping through bureaucratic hoops.

"The most important point is that we in West Maui have been waiting for an emergency facility with a small hospital that would have long-term care attached for over thirty years. If the private group who will be working in conjunction with Maui Memorial and others has to go through the cost and time of the CON, it would make it much less likely that they would be able to do the project on time, if at all. I will acknowledge that this bill is a work in progress and there are things not in this bill that I would like to see occur. But I ask my colleagues to support this measure because this discussion is long overdue and if we don't do something now to modernize the system, then it could hinder all health care deliver systems and endanger the health and welfare of our citizens on all islands, but especially in West Maui."

Representative Bertram rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support of HB 1067. This bill establishes a panel, appointed by the Governor and Legislative Leadership to study ways of reforming the Certificate of Need Process. The bill proposes to reform the Certificate of Need process which arose from the battle over the proposed second hospital for Maui, the Malulani Health & Medical Center.

"Rural communities frequently are left out when key decisions are made about their health services. I would like to say that it is an opportunity for the State of Hawaii to give the home island a voice when key decisions are made about their health services. I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1067, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF NEED," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Sagum voting no, and Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1176) recommending that H.B. No. 1471, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1179) recommending that H.B. No. 1899, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1899, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Chong rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chong's written remarks are as follows:

"Mr. Speaker, I am in support of HB 1899, HD2 relating to Kawai Nui Marsh. Mr. Speaker, for over 17 years the dispute between the State and the City over the Marsh's ownership and maintenance has prevented the restoration of the Marsh. I believe this bill provides a compromise whereby the State would take all the land and the City continues to maintain the levy.

"At present the Hannemann Administration and the Lingle Administration have entered into discussion with hopes of resolving this without legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1899, HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1180) recommending that H.B. No. 1268, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1268, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 1268, House Draft 2. For Hawaii to prosper in the changing global economy, its work force must be more skilled and competitive in science and technology. Hawaii's education system is not preparing an adequate number of high school graduates with the basic science, technology, engineering, and mathematics (STEM) skills needed for the new economy. According to the National Center for Public Policy and Higher Education, Hawaii's eighth graders test well below the average in math and science - only 18% of eighth graders score proficient in math, and only 15% of eighth graders score proficient in science. The effects of this are felt further down line as enrollment in the UH college of engineering is down 25% since the mid 1980's. This proposal attempts to address this situation.

"This proposal establishes the "Hawaii Excellence in Science & Technology (HiEST)" Academy Program. The proposed program is based on the CISCO academies. CISCO academies are presently creating a pool of computer network skilled high school graduates, and the Hawaii Construction Academies that are producing a pool of apprenticeship-ready high school graduates for the construction industry. Prior to, and during this Legislative Session, the Administration has discussed modeling this concept on CISCO with the Department of Education. Their role in helping to formulate this proposal must not go unrecognized.

"The HiEST Academy will combine experiential project-based learning with a standards based applied science and math curriculum. The University of Hawaii Community Colleges would work with the DOE to integrate the HiEST Academy program into participating public schools. The primary focus would be at the 10th and 11th grades, and courses in the HiEST Academy will be taught by community college instructors or secondary school teachers trained and certified by these instructors. As an incentive to participate, students will receive both high school and community college credit.

"It is important to note that the HiEST Academy program is voluntary. Only those high schools interested in integrating the Academy into their curriculum and providing space and facilities to support the Academy would participate. It is anticipated that the distribution will be Statewide with two schools each on Kauai, Maui, and the Big Island, and eight distributed throughout Oahu.

"The initial 14 HiEST Academies would serve approximately 4,000 high school students. An additional 2,000 students would take math classes in 9th and 10th grades. At this level of participation, 1,000 HiEST Academy students would graduate from high school per year. These numbers will grow as the academies expand beyond the first 14 schools.

"This bill also establishes the Fostering Inspiration and Relevance Through Science & Technology (FIRST) Pre-academy program. The FIRST Academies are proposed to provide motivation for students to choose a path leading to enrollment in HiEST academy and to continue their STEM education into post-secondary institutions. Students would receive the most benefit from the HiEST Academy, if they are motivated and prepared to engage in STEM studies. Experts maintain that if middle-school students are not reached, not enough students entering high school have the necessary interest or preparation.

"The establishment of the FIRST Pre-academy program will address this problem. The program will coordinate, support and expand existing contextual learning program. It will create new programs to inspire late-elementary and middle school students and prepare them to enter a HiEST Academy. This program would equip middle school teachers with tools to better provide the knowledge and motivation.

"A good model program for this is the existing Project EAST (Environmental And Spatial Technology) program. This is a national program that provides students with current, advanced technologies to undertake service-oriented projects in the community.

"In Hawaii, Project EAST works closely with industry, the school, and community organizations and is currently in eight schools on the Neighbor Islands. Complexes which already host a contextual program such as Project EAST could be natural candidates for a HiEST Academy, and complexes that choose to host a HiEST Academy could be natural candidates for expansion of the Project EAST program, which could provide elements of the FIRST Pre-Academy Program. The synergies of innovative ideas and established programs help to increase the chances for success, chances that we must take in order to ride the wave of the global economy.

"This bill also establishes a "Professional Development In STEM for success" program. It is imperative that teachers have adequate knowledge of STEM to provide students with the tools they need to function in a global society where STEM skills are becoming a must in the workplace. The provisions in this bill provide a flexible program for all middle and high school teachers to obtain training at the UH through the College of Education.

"The College of Education at UH-Manoa would develop a variety of delivery options to reach as many teachers as possible. These varieties of training opportunities might include summer institutes, programs for extended breaks, week-end or evening classes, and distance learning to accommodate the variety of the needs of teachers to obtain this training. The intent is to offer all teachers the ability to earn Professional Development credits by improving their knowledge of STEM content in order to better serve Hawaii's students.

"Further, this bill establishes incentives to enter STEM teaching. The Department of Education has reported annual vacancies for about 30 science and 40 mathematics teachers for the past several years.

"A way to solve this program is to actively recruit people who have degrees in STEM subjects, either as new graduates seeking first jobs or professionals considering a mid-career change. The UH-Manoa College of Education has a partnership with the Hawaii Department of Education and the College of Tropical Agriculture and Human Resources currently has a Transition to Teaching (TTT) grant from the U.S. Department of Education to provide a $1,500

stipend for three semesters to STEM participates in UH-Manoa's Post Baccalaureate Certificate in Secondary Education.

"Students who complete the program and pass the PRAXIS test must commit to teach for three years in the DOE system. The TTT program has enrolled 90 students since it began four-and-a-half years ago. The TTT program is now in its final recruitment for Spring 2007 because funding will terminate and cannot be renewed for the same field of study.

"This bill provides immediate funding to the TTT program to allow it to continue without a break in operations. At full recruitment, the program would produce 20 new science or mathematic teachers each year. This meets about 30% of the DOE estimated needs

"This bill also creates STEM Internships and Mentorship's. Experiential learning involves placing students in businesses and other organizations outside the school setting to work, observe or to be mentored by those currently engaged in professions. Experiential learning gives students an understanding of what the work place is like and what people in various fields do on the job.

"A number of national companies have begun establishing intern/mentorship programs as far down as middle school. If Hawaii companies do not begin establishing a relationship with their future workforce, companies outside of Hawaii will. The need for a Business/Education partnership that would create internship and mentorship opportunities was identified by the Governor's Economic Momentum commission. The proposed business/education internship and mentorship program would focus on building business support and involvement in a range of internship program.

"The Department of Business and Economic Development and Tourism intends to contract with third-party partners for this program. A major focus during the "start-up" will be to develop a best practice manual and guide to make internships effective for both those providing and receiving the internships.

"This bill also creates Endowed STEM Chairs to attract eminent scholars to Hawaii. An endowed position is funded from the revenues generated by a significant up-front investment and can be used to fully or partially pay for the salary of the holder of the position. The benefits of an investment in an endowed position include increased research funding, increased prestige for the University that will help attract other top talent, and improved opportunities for students to learn and participate in high caliber research projects.

"It is estimated that a $3 to $6 million initial investment could return between $5 and $20 million in research funding over a 10 year period. There are many examples of this type of investment working in other states.

"The creation of 32 endowed positions at the University of Texas in the mid-1980s is cited as a major factor in the decision of Microelectronic and Computer Technology Corporation and Sematech to locate in Austin, laying the foundation for the rapid growth of its high technology sector.

"Wake Forest University recruited a life sciences researcher from Harvard, along with his 20 person research team. In his first two years at Wake Forest, the size of his research team tripled, two companies relocated from the Northeast, and 15 patent applications were filed.

"The University of Hawaii has a little over two dozen endowed chairs and professorships, with only five in non-health-related STEM disciplines. The funding proposed in this measure could fund up to five additional endowed chairs in STEM areas, and the funds would only be expended if there is a private sector match.

"As a final point, Mr. Speaker, this measure has broad support and should not even be considered controversial. Usually, where there is controversy, there is a lot of testimony in opposition. This bill only had one piece of testimony in opposition.

"When this bill was heard by the House Committees on Education and Higher Education, 59 individuals or organizations, not including the Administration, submitted testimony. 9 of the 59 were in strong support, 48 were in support, 1 supported the intent, and 1 was in opposition.

"In the Senate, before the Committees on Education and Economic Development & Taxation, 11 testimonies were in strong support, 46 in support, 3 supported the intent, no one opposed the idea, and 30 of the testimonies were from different entities that those who testified before the House In total, 88 individuals or organizations believes that these proposals were worthy of support.

"Key supporters of this initiative include:

The leadership from UH, HPU and Chaminade University of Honolulu who believe that STEM education is essential;

Students and their parents who found value in contextual program;

Teachers who lament the lack of preparation and excitement they find in students;

Owners of small businesses who struggle to find qualified employees to help their companies grow; and

Leaders of large corporations who see these proposals as a way for overall improvements of the workforce.

"Mr. Speaker, for all of these reasons, I stand in support of this good bill and hope that my colleagues will offer their unequivocal support as well. Thank you."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I stand with reservations on this bill. I think I mentioned this before in previous readings and again, make no mistake about it: I think we all can support every opportunity we can give to our young people choices in a way that they learn and that way they can prepare themselves not just for the world of work, but for civil society, as well.

"Like I said earlier, my main concern about this measure as proposed is that it did not involve the very people who supposedly would benefit from it. Interestingly, about a week ago, your Committee on Education had an informational briefing so that the people from Gear Up and P-20 could come and explain their programs. For those Members who were not there, Gear Up is a program that targets at-risk young people and tries to encourage them to really dream about going to institutes of higher learning. They're very successful in doing that. It is a federally funded program. P-20 is a council that has been created and has existed for a number of years now. They recently got a big grant to continue their work. They bring together the early childhood, the K to 12 and higher education community to talk about a seamless transition as youngsters work their way through the educational system.

"These two organizations, Mr. Speaker, are really part and parcel of what's embedded in this bill to work on giving opportunities to young people. Needless to say, I was a bit surprised to hear that Gear Up and P-20 haven't heard from the introducers of this bill to really try to see whether or not there can be some collaboration and some partnerships. Again, Mr. Speaker, there are many other players that are supposedly going to benefit from this initiative and yet, they have not been at the table. I know I haven't been in the Legislature as long as some of you have, but one of the things I've learned is if you're not

at the table, Mr. Speaker, more than likely, you're on the menu. Thank you."

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'd like the words of the Representative from Pearl City entered as my own, except for the comment about being, 'part of the menu'. Thank you.

"Just a very brief comment. I stand in support. The concept of innovation is not new. The concept of innovation and creativity is a focal point of education. And I would hope that, as this bill moves forward and returns from the Senate, that we remember the civic mission of schools is to enable our young people to be part of our society in such a way that they will be innovative throughout their lives.

"So I hope, also, as we're looking at other future bills regarding education, that we particularly regard technology as a methodology and a vehicle towards learning more about being a citizen through the content fields of English and social studies, science and math, and not use technology as an end destination. Thank you very much."

Representative Morita rose in support of the measure with reservations, and asked that the remarks of Representative Berg be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support of this bill. In regards to the collaboration issue on this H.B. 1268, now that Gear Up and P-20 have been mentioned, I'm sure the Administration, as well as DBEDT, the Director of DBEDT have been so anxious to try and collaborate. Each time a name has come up, they've sought and have been going out and looking for feedback and they have collaborated with a lot of different areas.

"The process that we have in regards to hearings and taking testimony, and if these and others, which there are a lot of other programs out there, very good programs, like Gear Up and P-20. If they feel that they could be involved, it is also an opportunity for them to come to the table, and come and testify as to how they may be able to collaborate, as well. I guess, what I'm saying is there's a high threshold for collaboration right now placed upon DBEDT and the Governor's Office. If we keep on giving them a list, I'm sure they will go out there. But there is so many programs, good programs, and you can't in a short amount of time be able to collaborate with everyone.

"However, that opportunity is there in hearings to come and be able to express opinions on these bills. I don't think anyone has ever said that there aren't any very good innovative type programs within our system that exist today. So I just wanted to say that if we keep on naming others to collaborate with, I'm sure the aggressive, as well as the person that the Director of DBEDT is, would happily go out and do whatever he can. Thank you."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure, stating:

"I speak in strong support. Really briefly, it's been said over and over again that the introducers of the bill, which would be the Governor and her team, did not try to meet with certain individuals that this bill would most affect. I can't tell you how many times I've been in Committees that all of us introduce bills to either take a department or remove different things from a department, but we never even called the department chair or the director. So, I think if we're going to criticize someone, we should look at ourselves, as well.

"For example, 109 bills we want to take the powers away from the Governor. Did any of us go talk to the Governor? So, in fairness, this is a great idea, and I've said the first time that I spoke in favor of this bill, if you have complaints, try to get those people together. But very little effort was made by the people who continue to criticize this bill to get the Governor's team together with the people who they're seeing, that they're leaving out. So I don't find these comments sincere. We still have some time so let's start today and try to get these groups together and create a really good bill that everybody can feel that they contributed to and will be good for the students of Hawaii."

Representative Takumi rose to respond, stating:

"With reservations. Thank you very much, Mr. Speaker. Let me just comment. Still with some reservations on this measure. Let me just try to address the comments made by the Representative from Ewa Beach.

"Whenever you introduce a bill, Mr. Speaker, particularly when you say it's a comprehensive, well-thought out, ready to go bill, which is the advertisement proposed by the introducers of this bill. What that means in my mind is that you actually did, frankly, sit down and speak with the very people that are supposed to benefit from this bill. You don't introduce a bill and then say, 'Where is everybody? Why is everybody getting a little upset about this thing?'

"Secondly, Mr. Speaker, you don't put the burden on the collaboration and the getting together on the very stakeholders who supposedly will benefit from this bill on us. You do your own homework before you introduce a bill, Mr. Speaker.

"Let me give you one small example. I can only speak from the example of the prescription drug bill, a bill that took roughly two years to put together. You don't have to be a rocket scientist to figure out that if you're going to introduce a bill on prescription drugs, by all means, maybe you ought to talk to a few pharmacists, if not the Hawaii Pharmacists Association, the Hawaii Medical Association. Maybe you ought to talk to groups that advocate for seniors, or for those who are underinsured or uninsured when it comes to drug coverage. Maybe you ought to talk to HMSA and Kaiser and the very people that are in charge of dispensing drugs in our community through their plans. Maybe you ought to talk to the people at MedQUEST and Medicare. These are the kinds of things you do that are very basic and elementary to put together a bill that is comprehensive and is going to have some credibility and viability. Again, you do not introduce a bill and then say, 'Oh, yes, we didn't meet with these people.'

"Lasty Mr. Speaker, collaboration does not mean sending out a press release announcing what you're going to do. Collaboration means actually sitting down and trying to work out whatever differences you might have in a partnership, and hopefully, it can be a win-win situation for everyone. Thank you."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. Just for the record, from the Committee's own testimony, 59 people spoke at the hearing in the House Education and Higher Education Committee. 9 of the 59 were strongly in support of this bill. 48 were in support. 1 supported the intent, and 1 was opposed. Mr. Speaker, that shows that there's been quite a few people at the table. Some may have more elbows on the

table than others, but there's been quite a vetting of these 59 people at one sitting is quite a considerable amount.

"Perhaps, what is difficult about this and some of the Governor's other innovative, creative bills is that we're looking for a paradigm shift to adjust this State, its people, its economy to the future. America has lost its competitive niche. Hawaii has lots its competitive niche. Only 18% of eighth graders in this State are proficient in math. Only 15% of eighth graders in this State are proficient in science. As the Governor said, we have a global wave coming on our shores. Are we going to ride or are we going to get hit by it?

"This is trying to say, 'Think science.' Do a bit scientifically in your studies. Give them an opportunity to go to some of these academies, and if it fits, wear it. If it doesn't, let's go on with it. But just because it's from the Governor … It is a new paradigm. I think we have to look a little bit more objectively at the future of this State, the future of our children and the future of the global economy which is going to wait for no one, not this State, that's lived off its good looks for so long, lived off the sandalwood for so long, and other source of things, like tourism. We've got to change our thinking. This is part of the package. I think that's probably why there's a bit of opposition to it."

Representative Bertram rose in support of the measure and asked that the remarks of Representative Ward be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1268, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 6:39 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1043, HD 2	H.B. No. 1067, HD 2
H.B. No. 1755, HD 1	H.B. No. 1471, HD 1
H.B. No. 859, HD 2	H.B. No. 1899, HD 2
H.B. No. 1500, HD 2	H.B. No. 1268, HD 3

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1186) recommending that H.B. No. 1001, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1001, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, I just have written comments and I guess I'll stand up again if people have objections to the bill. I'm in support."

Representative Berg rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I am in opposition of HB 1001 HD1. I appreciate the vigilant and deliberate efforts of the Housing Committee through the leadership of the Committee Chair to rework the contents of the original bill, and significantly alter the original wording to expedite the process of developing land for affordable housing, and to provide a tax credit to developers.

"Although this measure has been significantly changed since its original form and appears to be moving in a more positive direction, I still remain concerned about the general intention and encourage the next committees to consider the bigger picture of Hawaii's sustainability. A coherent plan needs to be articulated for development that considers our natural resources, quality of life of our residents, and the growing concerns of global climate change."

Representative Luke rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservation. The only reservation I have is with the expedited process."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of this measure, HB 1001, Mr. Speaker. The purpose of this measure is to encourage the development of affordable housing by seeking means to expedite the review and approval process, without adversely affecting our environment or our ceded lands.

"Although I believe this bill still needs to be improved, I truly feel that we should continue discussion on the very important issue of the development of affordable housing in Hawaii.

"I have been encouraged by the lengthy discussions between the Chair and Committee members of Housing, the State and counties, as well as other stakeholders, to find a solution to Hawaii's affordable housing and homeless crisis.

"Moreover, I commend the introducers of this measure, especially the Chair of the Committee on Human Service and Housing for her steadfast commitment to this issue. For all of the foregoing reasons, I support this measure."

Representative Morita rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I have reservations. This bill has changed significantly since its initial introduction. This bill is meant to find ways to develop an expedited approval process to increase the amount of affordable and workforce for-sale housing projects and affordable rental housing projects. This is a very complex issue and I appreciate the tremendous amount of effort and time that the Chair of Housing spent on this bill thus far.

"I think this bill is a good start to increase affordable housing in Hawaii, but I do have a few concerns about this bill. This bill only applies to the City and County of Honolulu. If the counties of Maui, Kauai, and Hawaii do not wish to participate, they are not required to. Lack of affordable housing is a problem to Hawaii as a whole, not just to Oahu.

"I also think this bill is forcing friction between the State and the counties due to the fact that the counties think that the State is trying to force new rules on to them. I am voting with reservations on this bill because I believe we should work with the counties and find a solution. Thank you."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Shimabukuro rose to respond, stating:

"Some of the key changes on H.D. 2 of this Majority Caucus bill are that the county can say 'no' to the project, and the project will end either at the agency level or at the county council level.

"In addition, after those additional deadlines, its 45 days on the agency and 45 days on the council. There is no time limit on the county to process the building and other ministerial permits as long as it's the county that gives the initial approval on the project.

"The bill also includes an appropriation to the county to hire additional staff to streamline the process which we've heard from Housing Hawaii is a very important aspect. It also provides funds for the county to include off-site infrastructure for the projects which for LURF was a big concern.

"H.D.2 also makes the affordability requirement much more stringent. All of the units must be 140% of the AMI, and 50% of that is 80% of the area median income or less. Affordability must be in perpetuity, which is a really good aspect. Environmental protections have been increased in addition to the EIS, SMA, cultural surveys, and everything was already required.

"The bill clarifies the Clean Water Act, asbestos, underwater storage and other environmental protections must be completed before submission of the application is submitted. Zoning concerns should be minimal. No agriculture, ceded, rural or conservation land is allowed for these projects. Only urban land located within the urban growth boundary identified by the counties is allowed. And have additional written comments. Thank you."

Representative Shimabukuro's written remarks are as follows:

"As you know Mr. Speaker, we are in a housing crisis. The original version of this bill proposed a simple, but shocking idea to solve this problem: exempt affordable rental projects from all environmental and cultural regulatory processes.

"However, as we have learned through discussions with diverse groups of stakeholders and legislators, the lack of affordable rentals is a multi-dimensional problem. The culmination of feedback provided the clarity of what should be our goal: one of maintaining balance between our long-standing community principles of environmental and cultural protection with expanding our inventory of affordable rentals.

"The synthesis of our goal is this bill's mature version. Under this proposal before you, the counties are now placed in a unique position to effectuate rapid and substantive change in our affordable rentals market.

"We focus on two economic segments of the population: rental housing and workforce housing.

"Approval times are trimmed and expedited once developers fulfill their obligation to comply with standing environmental and cultural laws.

"The Hawaii Housing and Finance Development Corporation is utilized to a larger degree by helping move development applications along when counties lag behind.

"Concerns about a developer's ability to fully integrate supporting infrastructure into the county systems are addressed.

"We propose financial support for counties to hire additional personnel to help implement this bill should it become law.

"Mr. Speaker, this bill is definitely a positive step in the right direction towards helping our citizens. I wish to thank especially the Finance Chair, Majority Leader, and your Office for their support of this bill. I urge my fellow Members to support House Bill 1001, HD 2. "

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1001, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Berg voting no, and Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1188) recommending that H.B. No. 338, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 338, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 338 because many of the Governor's innovations ideas have been inserted into this bill.

"If we are to prepare our young people for the global economy we must assure that they get the proper education, stimulation and training in STEM subjects.

"While I preferred the Governor's original bill, which requested the ERS invest a small portion of their Trust Fund in up and coming local Hi Tech businesses rather than using general funds."

Representative Takumi rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 338, House Draft 2 with some reservations. We all believe innovation is the wave of the future for Hawaii. This bill does that through the creation of the Hawaii Innovation Special Fund, and I support that intent, but the Hawaii Innovation Partnership and special fund has some problems. This bill proposes to take one half of one percent out of the general revenues of the State for the next four fiscal years.

"One half of one percent does not seem like a lot of money, but in theory it could be upwards of $100 million. This is a lot of money to be taking out of the general fund, money that could be better spent on teachers salaries, fixing our hospitals, incentives for doctors to stay in Hawaii, give the people of Hawaii back some of their hard-earned money in the form of tax refunds, and funding of other programs that don't get funded because the State does not have enough.

"The uncertainty of the amount is also a problem. What happens if the State's revenue drops dramatically? A good portion of the funding for this idea goes away, money they may have been counted on to make the proper investments in technology.

"In addition the funding portion of this bill binds the next two Legislatures financially, something this body has always fought.

"A better funding source would be allowing the Employee Retirement System to leverage some of its funds toward this goal.

The Employee Retirement System is professionally managed. Hawaii needs a professionally managed fund of Funds for revitalizing the local venture capital community.

"Hawaii needs to do something to encourage outside venture capitalism to invest in Hawaii companies, otherwise Hawaii companies will have little chance of raising the capital needed for big successes and will never develop the discipline and skills needed to compete on a national or global basis.

"This bill has redeeming qualities though, like having the Department of Business, Economic Development and Tourism assess the effectiveness of economic development initiatives and facilitating the private sector's investment in and development of a 400,000 square foot class and wet lab and technology incubator, known as the Asian Pacific International Research Center, establishing an incubator facility providing an integrated workspace, equipment, and education and collaboration space for the development and growth of local film and digital media firms, and establishing an education and training support system at Honolulu Community College called the Music Enterprise Learning Experience.

"The Asian Pacific International Research Center is intended to be a catalyst to grow Hawaii's life science and biotech sector, and will grow and retain local high tech businesses and local talent in the State. It will also assist in recruiting high tech companies to the State, provide critical infrastructure for future growth, position Hawaii for global competitiveness in the life sciences field, provide opportunities for increased public and private sector R&D collaboration, increase tax revenues, and will ensure global recognition and branding opportunities.

"Mr. Speaker, ten biotech companies chose to go somewhere else because we did not have the proper infrastructure. Imagine if you will how much better Hawaii could be if those ten companies who wanted to set up shop in Hawaii, did.

"In addition, the Digital Media Center Incubator will help Hawaii's growing film industry. Currently the film industry in Hawaii generates on average, $100 million annually and $13 million in State taxes. For this industry to continue to grow, we need the right infrastructure. Most productions only need short term leases. The private sector does not do well with these short term leases, but the State could benefit by providing the space and opportunity for these short term leases.

"With thriving digital media companies, Hawaii could tap into the $12.5 billion video game industry. These digital media companies tend to have fast growth rates in the initial years and can expect to double in number of employees annually.

"And finally, the *Mele* program is modeled after the very successful music industry in Nashville, a music center which over 40 years created a$5 billion per year industry. Our local artists deserve the opportunity to perpetuate our culture and help our local economy.

"For these reasons, I am hopeful, but have to speak in support with reservations at this time."

Representative Morita rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. This bill is a part of an overall effort to make smart investments for Hawaii's future focusing on innovation. The Legislature has been working at it for awhile now. The MELE program has found its way into this bill and this program established at Honolulu Community College is a very good idea."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 338, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 43 ayes to 5 noes, with Representatives Berg, Luke, Nishimoto, Saiki and Wakai voting no, and with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1189) recommending that H.B. No. 916, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 916, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takumi rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of this bill. This bill represents one of the most promising tools available to increase the investment by incumbent workers and their firms in upgrade training. This bill will help increase the skills of our current workers, and establish a program to identify, track and provide Hawaii job opportunities to out-of-state Kama'aina in order to bring their skills and commitment back to Hawaii.

"It is estimated that 70 to 80 percent of the workers and managers needed in the economy for the next 10 to 20 years are presently working. It is expensive and time consuming for workers to upgrade their skills even though it usually results in increased pay. The result of these barriers is that compared to the 70% to 80% of the workforce who should be upgrading their training, only 3.6% of adult workers in Hawaii between 25 and 49 years of age were enrolled part time in any type of post secondary training in 2006, according to the National Center for Public Policy and Higher Education. If we can't find adequately trained labor here, or cannot do so for the reasons stated, we need to bring it from abroad, and best we bring home our own.

"This bill also establishes Lifelong Learning Accounts. Under the Lifelong Learning Accounts (LiLA) program model, employers and employees contribute an equal amount each year to the employee's Lifelong learning account. The accounts would be portable, and are maintained and administered by a third party beneficiary. The funds can be used for a range of training activities within the scope of a long-range training plan agreeable to both the employee and employer.

"Several states including Maine, Illinois and Missouri, have or are developing pilot projects for these accounts. Under pending federal legislation, ten states will be chosen to participate in a Lifetime Learning Account pilot program. That program will include federal income tax credit incentives.

"With an established and funded pilot program, Hawaii will have a very good chance of being one of the ten states chosen. For these and other reasons, I am in support of this bill."

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I support this bill. It would strengthen Hawaii's workforce and our economy by helping workers open lifelong learning accounts, and by bringing skilled former residents of Hawaii back to the islands."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 916, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1190) recommending that H.B. No. 1083, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1083, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1192) recommending that H.B. No. 18, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 18, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1193) recommending that H.B. No. 1784, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1784, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the creation of the offense of human trafficking. However, I vote yes, with reservations, because HB No. 1193, H.D. 2, does not include appropriations or, at a minimum, language asking for a report to the Legislature to the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in favor of this measure. Our State already has laws against prostitution and other crimes, so why do we need an anti-trafficking law?

"According to the National Institute on State Policy on Trafficking of Women and Girls, "Until states enact comprehensive anti-trafficking laws, prosecutors use existing criminal statutes to prosecute traffickers for such crimes as: false imprisonment, kidnapping, rape and aggravated assault. But these laws are insufficient—and they do not criminalize all manifestations of exploitative trafficking into the United States and don't offer protection from prosecution for all trafficked women, men, boys, and girls."

"Criminalizing human trafficking should bring State law into accord with the federal Trafficking Victims Protection Act of 2000, as reauthorized in 2003, and would enable local and State law enforcement to investigate and prosecute those crimes, working in partnership with federal law enforcement. This bill also adds human trafficking to the list of offenses addressed by the Crime Victim Compensation Commission.

"Another aspect of trafficking is the regulation of "international marriage brokers" that operate to bring mail order brides to our State. In 2003 our State became the second in the nation to pass such a law. Additionally, in 2004 Hawaii became the first state in the nation to regulate travel services that operate in the State to facilitate sex tourism.

"The provision of social services and victim assistance to trafficked persons is an important aspect of any trafficking legislation. The existing task force created by our 2006 resolution is charged with looking into this important part of the puzzle that is not addressed in the present draft. In addition, a resolution encouraging a needs assessment for social services will be offered this Session.

"The passage of this bill out of the Judiciary Committee is a major milestone. It is hoped that the many important people in our community including police, prosecutors, immigrant services, public defender, domestic violence coalitions and victim advocates will work together to make this effort a success.

"Although most of what we read and hear concerns the horrors of trafficking of persons in other countries, the United States, and yes, Hawaii, are major "destinations" for traffickers. We are obligated, therefore, to respond to this most appalling violation of the basic human rights of women and girls, men and boys.

"I urge my colleagues to support this measure. Thank you."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Hawaii serves as a unique bridge for Continental US and the South Pacific and Asia. This places us in a prime location for human trafficking.

"The Untied Nations estimates that 12.3 million people are enslaved in forced labor, bonded labor, child labor, sexual exploitation and servitude, an involuntary servitude. It is a real tragedy because most of the human trafficking involves commercial sexual exploitation of women and children. These despicable acts are not only reserved for women and children.

"Men are also victims. This was made evident when a federal case came to light, where males were being transported from Tonga illegally to build lava rock walls. They were compelled to live in sub-standard housing, subjected to routine beatings, and even starvation.

"There are other associated ills to human trafficking. These included criminal networks and organized crime. Such acts impose public health cost and erode governmental authority in the United States and other countries.

"While Hawaii has laws to deal with ancillary crimes, they are rarely prosecuted. Criminals are able to utilize loopholes to evade prosecution. Hopefully, this statute will assist law enforcement in making more convictions which will lead to an end to human trafficking. Thank you, Mr. Speaker."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 1784 HD2. As one of the bill's several co-sponsors, I am convinced that this bill represents a considerable advance in protecting basic human rights.

"The bill has enjoyed the unanimous support of Members as it has progressed through two House Committees. Testimony from a variety of public and private agencies and organizations, representing law enforcement, immigration, the legal community, church and social groups, made it apparent that this legislation is greatly needed.

"The purpose of the measure is to create the offense of human trafficking, whereby a person knowingly subjects a person to labor or services through threats, extortion, or other means. It also recognizes the practice as a violent crime that may be related to organized crime or racketeering.

"By making any form of human trafficking a Class A felony, this bill, enacted into law, will show that Hawaii's people are serious about protecting the human and civil rights of its citizens, as well as immigrants to our islands. I urge my colleagues to join with me in supporting this legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1784, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1194) recommending that H.B. No. 1905, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1905, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support ensuring the safety of dams and reservoirs. However, I vote yes, with reservations, because HB No. 1905, H.D. 2, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1905, HD 3, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

At 6:46 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1001, HD 2
H.B. No. 338, HD 2
H.B. No. 916, HD 2
H.B. No. 1083, HD 2
H.B. No. 18, HD 1
H.B. No. 1784, HD 2
H.B. No. 1905, HD 3

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1195) recommending that H.B. No. 88, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 88, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the protection of consumers from insurance fraud. However, I vote yes, with reservations, because HB No. 88, H.D. 1, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 88, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1196) recommending that H.B. No. 661, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 661, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Herkes rose to speak in support of the measure with reservations, stating:

"With reservations. My reservations are that my district is so large and has so many needs that I hate to see any public money going to anybody's campaign."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 661 HD1. Legislation of this kind has been under consideration ever since I was elected to this House more than four years ago. At least once, just as victory

seemed to be within reach, the bill—whether known as "Clean Elections" or "Voter Owned Elections"—failed passage in the waning hours of the legislative session.

"Now is the time for action. To delay further in implementing some version of this badly needed campaign reform is becoming more and more inexcusable. And our constituents are becoming more impatient with a system that leans heavily on private financing while neglecting a public financing alternative which other states have successfully implemented.

"Hawaii's existing system of partial public funding for campaigns has not created the viable alternative that was anticipated. Only 9% of candidates statewide participated in the system in the 2004 election. What we need is the comprehensive system which this bill creates.

"Some will fault us for amending the original bill by changing the scope from our own House of Representatives to County Councils, in effect putting other elected officials, rather than ourselves, on the front lines of this groundbreaking initiative.

"Controversy has surrounded clean election legislation from the outset. I believe it is time to rise above the controversy and take this first modest step toward making elections more equitable, more accessible to people who lack the means to run for office. I urge my colleagues to join me in support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 48 ayes, with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1197) recommending that H.B. No. 1848, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1848, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Morita rose to speak in opposition to the measure, stating:

"On Stand. Com. Rep. No. 1197, I stand in opposition. I just wanted to share excerpts from a *Maui News* editorial which appeared in yesterday's paper. Even though the Finance Committee made some attempts to improve the language of this bill, it still is a bad bill and tries to undo the proposed lay net fishing ban, fish net ban. It says:

House Bill 1848, HD 2 would require any fishing prohibition or limitation, the lay gill net ban, to be developed through "community based ahupuaa, moku, or community-based subsistence management program previously established." That the language is just vague enough to open the door for just about any established Hawaiian-based group to get involved in an already cumbersome rule-making process.

The bill also calls for "a thorough review and analysis of best available science, including traditional Hawaiian and local fishers' knowledge. That's just another way of saying anyone involved in using gill nets can prevent a ban.

"And then the editorial goes on to say:

House Bill 1848 is just political pandering of the worst sort, an insult to the Native Hawaiian tradition of stewardship and a major threat to the survival of reef life in the islands. The House should vote it down. If not the House, then the Senate should say no. If not the Senate, then the governor should veto it.

And I agree. Thank you."

Representative Bertram rose in opposition to the measure and asked that the remarks of Representative Morita be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Berg rose to speak in support of the measure with reservations, stating:

"I stand with strong reservations."

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, I'm rising in support of Stand. Com. Rep. No. 1197. As you know, this measure will help our local fishermen by requiring the DLNR use some kind of scientific method when it sets out new fishing rules and limitations. It also sets up a Hawaii Fishery Policy Advisory Taskforce to help establish rules that would improve the current process.

"Mr. Speaker, the testimony on this bill was very emotional on both sides. DLNR, many environmentalists want very strict restrictions on fishing while our local fishermen want to be able to fish in the areas they've been fishing in for generations. Mr. Speaker, I support the efforts of our local fishermen. They aren't asking for special treatment. What they want is that DLNR establish some kind of scientific evidence to validate and justify their management decisions. That's all. They just want a reasonable justification.

"This request does not seem to be out of line. Federal laws already suggest that fishing boundaries be based on "the best scientific information available." It must include criteria to assess the conservation benefit of a closed area. It must establish a timetable for a review of the closed area's performance and is consistent with the purposes of the closed area. And it must be based on an assessment of the benefits and impacts of the closure, especially as it relates to the users of the overall area.

"Mr. Speaker, this bill makes sense. All it does is set up names that would allow anyone to come to the table and discuss the needs of everyone in the fishing and conservation zones and it mandates that DLNR have its facts in order before we set far-reaching rules in place. Thank you, Mr. Speaker."

Representative Ito rose to speak in support of the measure, stating:

"In support. I would like the words of the Minority Floor Leader, from Heeia-Kaneohe as my own, and I want to submit into the Journal my five-page speech that I'm going to submit to the Clerk right now," and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I am in support of Stand Com. Report 1197, HB1848 HD2.

"Mr. Speaker, the purpose of this bill is to balance the public's fishing area needs with the need to conserve the State's aquatic resources by:

1) Requiring the Department of Land and Natural Resources to discuss with communities, demonstrate a peer-reviewed scientific need, and rule out other conservation measures and enforcement of existing regulations, prior to adopting new fishing prohibitions or limitations, and to make all new closed area regulations temporary;

2) Establishing the Hawaii Fishery Policy Advisory Task Force to identify and recommend to the 2008 Legislature, revisions to the rule-making process regarding fisheries to improve the incorporation of public participation and peer-reviewed science in the process; and

3) Appropriating funds for the Task Force.

"Mr. Speaker, this bill is not meant to handcuff the Department of Land and Natural Resources in their rule making process, nor is this bill meant to pit one group against another. Over the years DLNR has initiated various regulations affecting our fishing community with or without input from the very people being regulated. This bill, however, is meant to help the DLNR in formulating new fishing regulations that has input from all who enjoy Hawaii's aquatic resources, fishermen and conservationist alike. Fishing regulations formulated by the various user groups will better serve the DLNR as these groups will have ownership in the regulations. Through these efforts it is hoped that future fishing regulations will be a WIN-WIN for all.

"Mr. Speaker, this bill calls for the establishment of the Hawaii Fishery Policy Advisory Task Force to identify and recommend to the legislature revisions to the current Hawaii administrative rules, title 13, subtitle 4, fisheries regulations. The bill has been revised to also include two members designated by the Aha Moku Council, one member designated by the National Oceanic and Atmospheric Administration, one member designated by the Nature Conservancy, and one member designated by the Hawaii Audubon Society in the makeup of the advisory task force. The addition of these members, together with the members from the fishing communities, will only strengthen the task force as all views are now represented and will be heard before any fishing regulations are formulated. Additionally, the bill has been further amended with the removal of any reference to historical extraction data, which data may not exist, and requiring fishery management measures be based on best available science rather than peer-reviewed science.

"Mr. Speaker, the call for science in this bill simply asks the DLNR to perform its job similar to the standards established by its federal counterpart, as the State's steward of its marine resources. Science-based baselines are necessary to determine where we are today, and science-based references need to be established in order to determine whether or not the prescribed management measure is achieving its stated goals and objectives. The call for a sunset date is to insure that the DLNR fulfills its obligation to review and assess the validity of the management measure and not leave areas closed indefinitely because timely reviews and assessments were not conducted. Further, the absence of science in the DLNR rule-making process leaves one option for marine resource management, creating more protected areas without the responsibility of monitoring whether or not the desired results are being achieved. This forces Hawaii's growing fishing public into further restricted areas ultimately leading to a crash in the resources in the limited areas opened to fishing. The resultant action by the DLNR will be to close the remaining open areas to fishing!

"Mr. Speaker, I have received numerous complaints that DLNR has completely closed fishing areas to the general fishing public around the State by declaring these areas as Marine Protected Areas (MPA) or Marine Managed Areas (MMA). The DLNR, however, has opened these areas to permitted commercial snorkeling and scuba diving, and kayaking. Fishermen have ask, "Why is it that we cannot fish there but the DLNR open these areas to commercial activities? Don't these commercial activities also affect the ecosystem of the area by affecting the life cycle of the fish? Fishes may be utilizing these areas as habitat, as grounds for transit from fish habitat to feeding grounds, for spawning, or as habitat where mostly juvenile fish congregate and exist. It has further been stated by fishermen that there is no enforcement. Fishermen have complained that they phone in fishing infractions to the DLNR Conservation and Resources Enforcement Division and no officer shows up to apprehend the perpetrator(s).

"Additionally, the Auditor, in her report, has also stated that enforcement of our resource regulations is lacking. This Session the DLNR has requested an increase in funding to increase the number of enforcement officers in the Conservation and Resources Enforcement Division. This is where we, the Legislature, can help the Department by providing the necessary funding. Additionally, the DLNR also needs to increase their educational efforts by educating the general public of the many fishing rules and regulations that are in existence today. There are many fishermen, some who occasionally take their children to fish on weekends, who do not know of these fishing regulations. The DLNR does publish a brochure that lists these fishing regulations, however, not all fishermen know of the brochure or how to obtain one."

"Mr. Speaker, stricter enforcement of the existing fishing regulations and educating our fishing public will go a long way in conserving our ocean resources. All the fishing regulations in the world will not result in conserving our ocean resources if there is no education program or the necessary enforcement to go along with these regulations. We all want to enjoy Hawaii`s ocean resources, it's beauty and it's bounty. Additionally, the greater input by the user groups in formulating fishing regulations will result in these user groups having ownership in these regulations, resulting in greater self-enforcement."

"Mr. Speaker, I urge my colleagues to support Standing Committee Report 1197, HB 1848, HD 2. Thank You."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB 1848, HD2.

"First, let me set the record straight. I am not recommending that HB1848, HD2 move forward in its amended form from the House Finance Committee to simply quash the recently approved Lay Gillnet Rules approved by Governor Lingle on March 2, 2007. As much I dislike the stealth methodology and "divide and conquer" strategy employed by the Department of Land and Natural Resources (DLNR), the Governor's decision will be hers alone and she must answer to the citizens of Hawaii.

"Certainly, the measure will have that affect if the effective language, "after January 1, 2007" remains in the final draft and wins final Senate and House approval, but that is not the primary purpose, nor aim of this measure. Indeed, I must agree with the opponents of this measure who characterize it as being "extreme." But, in defense of my position for the House Draft 2, let me assert that this measure simply seeks to cure if not contain a much greater extremism and divisiveness foisted upon our island communities and all citizens of Hawaii Nei by the DLNR, through its arbitrary and discriminatory rulemaking. I submit that I would be remiss in my duties as a State legislator if I would not "call to the carpet" what I believe to be a renegade department abusing its restricted delegated rulemaking authority over our ocean resources for all of Hawaii's people. Were I to do so would dishonor and depreciate the seven generations before me and the seven generations to follow me. So what does this bill do? How does it work?

"For one, as currently drafted, this bill would curtail and restrict further rulemaking unless approval was obtained from the 13 member Fishery Policy Advisory Task Force comprised of the following organizations and appointments:

Two members designated by the Alii Holokai Dive Club;
Two members designated by the Pacific Island Fisheries Group;
Two members designated by the Association of Hawaiian Civic Club's Ocean Resources Committee;
One member to be designated by the Northwestern Hawaiian Islands Bottomfish Hui;
One member designated by the Kewalo Keiki Fishing Conservancy;
Two members designated by the Aha Moku Council;

One member designated by the National Oceanic Atmospheric Administration;
One member designated by the Nature Conservancy; and
One member designated by the Hawaii Audubon Society.

"Mr. Speaker, these recommendations are in response to the many testifiers on this bill and from listening to both proponents and opponents. It is also a product of focusing in on the common ground that both fishermen and environmentalists, and Hawaiians and non-Hawaiians have on this very important issue. I found that there is much, much, more agreement than disagreement and common ground can be found. The composition of the Fishery Policy Advisory Task Force should provide a better forum for all stakeholders and in comparison to the current DLNR "divide and conquer" methodology, and it equalizes the playing field for those citizens in rural communities and the Neighbor Islands.

"Second, Draft 2 of the bill has made substantial amendments to the House Draft 1 and addresses the concerns of the DLNR Division of Aquatics Resources (DAR) that it collect and maintain historical fish census and catch data reports that may not exist and may not be available. Thus, the "impossibility" or "futility" argument is no longer an issue. Furthermore, I amended the bill to delete a requirement that could be misinterpreted to require that the DLNR "know at any given time the actual number of fish hooks in the water." That interpretation was nonsense and related language was stricken. Likewise, I amended the bill to clarify that the level and degree of science based decision making would be upon the "best available science" standard, instead of being based upon "peer reviewed science." Interestingly, according to the Division of Aquatics Resources, "best available science" is the standard that is presently used by DLNR's aquatics staff.

"These along with other amendments were made with the approval and prior concurrence of the Vice Chair of the Committee on Water, Land, Ocean Resources, and Hawaiian Affairs. The amended provision now directs the DLNR to: (1) establish a "best available science"-based analysis to define what is being protected; (2) explain why such protection is needed; (3) require analysis, definition and prioritization of the contributing factors affecting a species; (4) establish a schedule and planned evaluation of management measure to determine whether it is achieving its stated objectives; and (5) impose a deadline if the department fails to conduct the proper and timely assessments.

"Third, Mr. Speaker, it should be pointed out that the passage of this measure will not allow, as some have argued, for unrestricted fishing or use of gills nets, nor open presently closed areas to unregulated pillage of our ocean resources. The sky is not falling and the end of the world is not at hand. The current rules will still provide protection of our ocean resources and law enforcement will still have the authority to issue citations, arrest, seize contraband, and prosecute violators. The present gillnet rules will remain in effect, restricting maximum soak time to 4 hours, requiring an inspection of nets every 2 hours and a minimum mesh size of 2-3/4 inches, stretched. It is so very ironic, but revealing that under the "old" rules the endangered Hawaiian monk seal and green sea turtle had greater protection off the Molokai shoreline than it has today under the "new" rules.

"Fourth, Mr. Speaker, under the present proposal, HD 2, "new" rules must first be reviewed and considered by the 13 member Fishery Policy Advisory Task Force and the respective stakeholder groups therein. My hope is that the aforementioned organizations and their respective leaders consider this bill as an opportunity to tone down their passionate combativeness and instead consider the opportunities of discovering common ground because of their common aloha for the ocean and our unique Hawaiian culture. Should they fail for lack of trying or fail because of fear, I am sure that future legislators, if not next year's Legislature, will again be faced with the same, if not similar issues.

"Finally, Mr. Speaker, as I touched upon several times already, this bill is not merely aimed at curtailing the recently approved lay gillnet rules approved by Governor Lingle on March 2, 2007. Again, the current lay gillnet rules is symptomatic of a larger failure of the DLNR to perform its duties in a fair manner that has caused this reaction from many in the fishing community. The DLNR's adoption of a policy of "divide and conquer" that allows it sidestep its own rules and repeated recommendations of its own professional civil service staff should not be condoned and approved.

"Mr. Speaker, let me provide some historical context for how I came to this conclusion regarding the DLNR. It is simply amazing and terribly frightening how one group of stakeholders have hijacked our rulemaking process and thereby disenfranchised thousands of stakeholders across our State.

"As you may recall, a State Gillnet Taskforce comprised of most user groups including fishermen and environmentalists was convened by the DLNR in 1998 and tasked with the development of rules and possible fishing rule amendments that would address the then uncontrolled deployment of gillnets by a segment of individuals relatively new to the State . The Taskforce members came from Molokai, Maui, Kauai, Oahu, and Hawaii. Mr. Speaker, I remember the concern back then in 1997 and 1998 and it was the arrival in the islands, most conspicuously off the Waianae Coast, of these commercial boats that would lay nets over a mile long and in depths of 200+ feet of water. At this depth tangled netting destroyed coral and if not removed, remained to "ghost" fish for years. The Waianae commercial fishermen asked DLNR, Division of Aquatics Resources (DAR) to investigate how these gillnets might be better managed.

"In 1998, a Gillnet Task Force was convened and charged with developing proposals to address the concerns of the commercial fishermen, such as registration of nets, net labeling, length restrictions, etc. The Gillnet Task Force was staffed by the Division of Aquatics Resources and submitted its final recommendations to DAR in 2000. Later that year, the staff of the Division of Aquatic Resources prepared draft rules based upon the Gill Net Task Force's work. However, these draft rules, remained out of public view and comment until September 2002. Public meetings were held on Molokai, Lanai, Hawaii (Kona, Waimea, Hilo), Maui, Kauai and Oahu (Waianae, Kaneohe, and Honolulu). On or about October 29, 2002, the Division of Aquatics Resources sent surveys to the commercial fishers and imposed a November 20, 2002 deadline for submittals. In December 2002, the Division of Aquatics Resources compiled its survey response and reported the following recommendations:

1. Regulations for lay nets should cover both moemoe and paipai nets.
2. The current 2-3/4 inches minimum mesh size requirement for lay nets be continued for commercial lay nets but that a new 3 inches minimum mesh size should be established for non-commercial lay nets.
3. There should be established a 12-hourstime limit for non-commercial users and a 4-hour limit for commercial users.
4. The current requirement for the two-hour inspection of lay nets be continued.
5. Each person may only set one lay net once every 24-hours.
6. The use of trammel lay nets be allowed for commercial users only, but that a minimum mesh size and a limit of two panels should be established.
7. The use of lay nets at night be allowed but that commercial lay net users must attend their nets.
8. The breaking of coral should continue to be prohibited.
9. Non-commercial lay nets should be prohibited in depths greater than 25 feet. Commercial lay nets should be prohibited in depths greater than 80 feet.
10. All lay nets should be registered with the Department.
11. All lay nets, while in the water, should be tagged.
12. The following limits be established for lay nets: non commercial users—maximum height 6 feet, maximum length

limit 500 feet; commercial users—maximum heights 12 feet, maximum length limit 1200 feet.
13. A 500-foot buffer between nets should be established.
14. All lay nets, while in the water, should have marker buoys.

"Finally, between January 2003 and July 2003, the Division of Aquatics Resources staff prepared the "Report on the Discussions to Manage the Use of Lay Nets," July 2003, by Jo-Anne Kushima and Alton Miyasaka.

"Mr. Speaker, for the past four or five years, the Gillnet Task Force recommendations and the Division of Aquatics Resources proposed rules have not been taken to public hearing nor put forward by DLNR as "formal" rule proposals. Instead, and unbeknownst to many, a privately drafted gill net rule proposal, developed by the West Hawaii Fisheries Council, a private group from the Big Island, was adopted by the DLNR in 2003 for public hearings statewide. In other words, this set of proposed rules and not the Gill Net Task Force recommendations nor the proposals analyzed and studied by the DLNR - Division of Aquatics Resources staff, became the proposed rules taken to the public hearing process.

"Following those public hearings, the amended rules were presented to the Land Board on Friday, November 17, 2006 for approval in early 2007. The Land Board held its public meeting on November 17, 2006, and by a unanimous vote, approved the proposed rules. It must be pointed out that it was during these Land Board meetings that it was determined by several astute Board members and staff that a portion of the proposed rules, promoted by the DLNR, contained special allowances for the island of Molokai. These special allowances, however, were never brought to any previous public hearing nor had their genesis in the Gillnet Task Force recommendations, and were never presented at the Statewide meetings. The Land Board wisely deferred action on the Molokai rules, but approved the rest of the measure on November 17, 2006. This approved portion of the gillnet rules was signed into law by Governor Lingle on March 2, 2007. As noted on the DLNR website, the Molokai portion has not been approved yet.

"Mr. Speaker, while most citizens agree that stronger gillnet rules are needed, the disparate application of rules throughout the State and the absence of any best science-based references as to why certain waters around the island of Oahu, Kauai, Hawaii, and the entire island of Maui were closed remain unanswered. The DLNR response to various stakeholders was, "this is what the polls and surveys revealed." But, I must ask then, "If we are to manage our resources by public polls, then do we really need a department to manage them?"

"The arrogance and sheer audacity demonstrated by the DLNR in the administration of its rulemaking responsibilities leaves one very suspicious and uncomfortable with further entrustment of a strong public resource. By willfully and unabashedly ignoring the efforts of a statewide Gillnet Task Force it convened, sponsored, and supported, and substituted a proposal from a singular community from a district in Kona as the preferred management regime is incomprehensible.

"Additionally, the proposed rule amendment serves to disenfranchise other communities as the Molokai "special rules" may have been created to address the economic conditions there, but have ignored the plight of residents on the other islands where similar economic conditions exist such as Oahu's Leeward Coast and other remote communities around our State. Where is the equity in the amendment? Shouldn't the same benefits extended to Molokai be extended to those similarly impacted throughout the state?

"Furthermore, reasons given to shorten the nets, shortened deployment times, frequent inspections and ban from night setting were to minimize interactions with protected and endangered species, and unwanted species. If these were truly the reasons for the amended rules for the State, then why do the special rules for Molokai allow 6 times more length of nets; allow nets to be set three times longer with only two inspections of their nets during the period, and allow nets to be set at night? This rationale is incomprehensible to the other islands of our State. Fishermen who attended the public hearing of the Molokai special rules, generally applauded the department's sensitivity and relaxation of the lay gillnet rules as it more closely resembled the recommendations made by the Gillnet Task Force, but cautioned that special treatment without a factual and/or scientific findings would breed resentment and cast further doubt on DLNR. To this day, there is no one at DLNR who will explain how protected, endangered and unwanted species in the waters off Molokai are better able to tolerate interactions with lay gillnets? As one testifier pointed out, "Is the DLNR saying the monk seals and green sea turtles off Molokai are smarter than the ones off Oahu, Kaui, Maui, and Hawaii?"

"Strangely, but consistent with its "divide and conquer" tactic, the DLNR has not provided a science-based analysis supporting these rules, but has managed to justify the implementation of a gillnet ban based merely on internal surveys (non-public) and random surveys conducted by environmental groups and publications. For example, in 2004, a total of 774 respondents purportedly provided input to a DLNR survey regarding the proposed lay gillnet ban with the Statewide responses as follows: 27 from Kauai; 382 Oahu, 33 Molokai; 103 Maui; 83 Hawaii; and 46 unknown Main Hawaiian Islands. But, if one considers that the 774 respondents comprise only .06% of the population, it becomes apparent how weak the DLNR's position becomes. Furthermore, the formulation of the information sought and the data itself also reveals how tenuous the argument is. For instance, questions are only in a "yes" or "no" format, and duplicate entries cannot be ascertained, nor the residency of the responders.

"Likewise, the 2004 Hawaii Fishing News survey of only 848 of its readers, is also suspect and fails for similar reasons. Even if we were to give some credence to the methodology of the survey, its supposition is based on less than one-tenth of one percent. Mr. Speaker, this does not seem to be anywhere close to the majority they claim to represent and is at best a gross exaggeration and wishful thinking.

"Similarly the July 19, 2006, "Q-Mark" telephone survey commissioned and paid for by Fair Catch entitled: "Hawaii's Attitudes on the Ocean and Lay Gillnet Restrictions" is equally flawed and biased. As you and I know, Mr. Speaker, you can devise all kinds of polls and obtain any kind of results simply based upon the questions used and polling methodology. In this case, 1022 Hawaii residents were telephone polled, consisting of merely 0.08 percent of our state population. Even if we consider the 68% support for a gillnet ban, with a 3.1 % margin of error, we are left unsure if the response was framed as across all the Hawaiian islands and/or whether the responders considered effects upon traditional and cultural fishing practices and lifestyles. Mr. Speaker, I would guess that the result would also vary depending upon residence of the respondent, county, ethnicity, gender, and age.

"Finally, in a press release released on March 7, 2007, the DLNR uses its own faulty data to support its position for the "new" rules and Director Young even cites to a "white paper" entitled "The Case Against Lay Gill Nets," July 2006. Mr. Speaker, again, I find the DLNR representations at best gross exaggerations or at worst, deliberate misrepresentations. For example, the nine public hearings held in July 2006, that seemingly elicited 1,239 oral and written testimonies is not very representative of any community, county, island, group, or stakeholders. If you consider that 1,239 people is equivalent to approximately one out of 10,000 people in our State, you realize how much over reliance is placed on so few people. Again, as I have stated earlier, if the DLNR seeks to base its decisions, and in this instance it rulemaking decisions upon mere polls, then, it should convert its biologist and aquatics experts to pollsters and statisticians. For even, it if we assume that all respondents are actual Hawaii residents and that framing of questions pass muster under common survey standards and conventions, it is astounding that the DLNR would base its final recommendations for

such a significant administrative rule change on the minority of respondents who consist of less than one one-hundredth percent of the state population. The odds are the same as winning at roulette twice in a row with the same number!

"Mr. Speaker, it is my understanding that the DLNR is currently working on other rule changes to manage resources, including bottom fishing, closing of NARS access, and the taking of herbivores off Maui. It worries me that the arbitrary and inconsistent manner in which they have implemented the current gill net rules will continue and proliferate with their future efforts.

"Mr. Speaker, HB1848, HD2 imposes the current standard of best available science criteria as the level of science needed in assessments to address the Department's concern, and the composition of the 13 member task force was adjusted to address the environmental community's concerns. It strengthens the participation by environmental organizations (Hawaii Audubon Society and Nature Conservancy) and the Native Hawaiian community by creating specific seats for them on the user group panel. The fishermen and environmental stakeholders have expressed a common goal in managing the resources today to allow for its survival and use tomorrow. Their expertise, input and oversight as users are invaluable and necessary to the DLNR in their role as managers of ocean's resources and to ensure accountability to the people. We cannot and should not condone what I believe to be renegade rule making by a department that has overstepped its restricted and delegated rule making authority over our ocean resources for all of Hawaii's people.

"The Finance Committee passed out the HD 2 form of this bill without any objections and I urge all of my colleagues to support this fair, accountable, and balanced measure and to support the passage of this bill on Third Reading. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure and asked that her written remarks, and the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana's written remarks are as follows:

"Mr. Speaker. I am in support. There are many local fishermen in my district who are concerned about decisions made by the Department of Land and Natural Resources. Currently, the DLNR has the ability to close traditional fishing areas which have been in use for generations.

"When advice is provided by these long time fishermen to discuss regulation, the DLNR has virtually ignored their recommendations and made its own rules based on scientific evidence. The Department has yet to provide such evidence since historical scientific evidence has not been taken. There is no consistency in making rules and regulations as stated in testimony by both the fishermen and the Administration. In addition, I see that the Department is currently bowing to the pressure of groups who claim certain fishing areas are being depleted.

"I believe the real problem is the overdevelopment of our lands and how such development transforms the landscape of our fishing areas. Spawning areas have now been blocked. Fishes feed elsewhere. Now fishermen are blamed for such changes.

"The testimony from our fishermen was heard loud and clear. "This bill will bring to our fishing community – better and fairer marine management decisions based on community participation and proper science." We must continue to support our long-honored tradition of fishing for the values that they instill in our children along with the cultural heritage that needs to be perpetuated. Thank you, Mr. Speaker."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this measure. Thank you very much. I think there have been enough comments. I would use the Representative from Kaneohe's five-page comments as my own. I haven't seen them yet, but I'm sure they're good," and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I'm in support and I wish to incorporate the five-page speech from the Representative from Kaneohe," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1848, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Third Reading by a vote of 38 ayes to 10 noes, with Representatives Belatti, Bertram, Carroll, Green, Morita, Rhoads, Saiki, Shimabukuro, Takumi and Yamashita voting no, and with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1199) recommending that H.B. No. 16, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 16, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Chang rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'd like to cast a vote with reservations on this measure. My only reservation is that it should include the student health aides."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Herkes rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamashita rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. From listening to the testimony in Committee, I think, I feel personally that the students would be better served if the health aides stayed under the Department of Health.

"Right now they are supervised by a nurse who is always available by phone, but most of the health aides have first aid training. That's about it as far as medical training. There were numerous situations where they're not sure what they're dealing with and they can call the nurse and that's helpful. If they transfer over to the Department of Education, the only person that will be available to them is the principal, and most principals do not have medical training. I just think the children would be better served if we leave it the way it is.

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ito rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Tsuji rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Mizuno rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. With reservations in support of H.B. 16 – Relating to Education which will repeal the transfer of the public health nurses who supervise school health aides for the Department of Health to the Department of Education and transfer the school health services program from the DOH to the DOE.

"While I support the intent of this legislation, I understand that transferring the public health nurse positions to the DOE would require the DOH to request replacement positions to carry out essential health functions. Additionally, the number of positions that would be transferred would be insufficient to provide the level of supervision necessary for the school health program. School Health may be best served if it remains with the Department of Health, as it is their specialty. The Department of Education as it is has staffing difficulties and exhausted resources and may not be able to adequately address the issue of school health effectively or as efficiently as the Department of Health."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Souki rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Magaoay rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In the face of all those reservations, I'm pretty reluctant to stand up and say I support the bill, but I do.

"Mr. Speaker, I want to clarify a few things. As you know, in 2004, we passed out Act 51. We created an interagency working group whose mandate was to de-link the agencies that impact the Department of Education so that they would have the maximum flexibility, authority and autonomy to run their own shop. This is actually the last bill, the last recommendation from that interagency working group. We passed out a bill earlier today that repealed the requirement that Budget and Finance send over some of their functions to the Department of Education.

"Mr. Speaker, this has been a process that has gone on for over two years and all the agencies were at the table. It was a collaborative effort. It was an effort that really exemplifies the best in public policymaking. What they did was to look at all these different agencies, whether it was DAGS, Budget and Finance, the Attorney General's Office and the Department of Health. For those who may not be familiar with how health aides work, they are currently under the supervision of the principal when it comes to their work performance. In other words, if they don't show up to work, if they're late for work, that sort of thing, because the principal's there on a daily basis and so are the health aides.

"The nurses, however, oversee the work that they do as it relates to their work, their job. And that will continue. The Department of Health and the Department of Education will be sending a Memorandum of Understanding that will lay out clearly and precisely the duties that nurses have over the health aides at the school. That will not change. So it's not like the principal has to make sure that the health requirements of that job is their responsibility.

"And may I add, Mr. Speaker, that the Department of Health, the very agency, the very department that's entrusted to look out after the health and welfare of our schoolchildren absolutely agreed with this move as well. In my mind, if they had any doubts this would compromise the safety of our children, I would not support it. But both the Department of Health and the Department of Education are fully in support of this, realizing it makes far more sense for school based, school site-based personnel, to come under the Department of Education and yet when it comes to the health of our children, to be overseen by the health nurses who are not based in the schools, Mr. Speaker."

Representative Souki rose to respond, stating:

"Mr. Speaker, now that I've recovered, I'd like to speak a little bit more on this particular measure here. My major concern is, and I speak with reservations, with strong reservations. The concern I have is, even after the eloquence of the Chairman of the Education Committee, is that with the situation we have is that the principals are making the determination, and the community groups that work with the principals, as to the position that they're having within the school system. These employees that are transferred from the Health Department could very well, in some time in the future, lose their job. There's no assurance of course, that they can keep their job. These are some of the concerns that some of the advocates for the employees that came out were saying.

"And when I asked the Superintendent, and she came to my office personally, if this can happen, she said, 'Yes it can.' If it's the choice made between a librarian and a health aide, we'd choose the librarian over the health aide. So it's the precarious situation of the employee that I am more concerned about. If it was under the old system, they would still maintain the health services without jeopardizing the employee's job. Of course this is only a potential. It may not happen, but it can. And that's my major consideration. Thank you very much, Mr. Speaker."

Representative Takumi rose to respond, stating:

"Thank you very much, Mr. Speaker for your indulgence, but a small clarification to what the Speaker Emeritus just said. The Speaker Emeritus is alluding to the possibility that the school health aides at some point in the future may be included into the Weighted Student Formula. That is not our decision to make. That is a

decision made by the Committee on Weights when they meet every two years. Okay, maybe every year. We've got to see how the bill goes.

"But, Mr. Speaker, here's the rub. When we passed Act 51, for those of you who read the bill, realize we did not mandate any positions of the school. We did not say schools needed teachers, principals, counselors, librarians, custodians, food service workers, bus drivers and school health aides. We said the school should have the flexibility and the autonomy and the authority to decide what would improve student achievement, raise the civic engagement and responsibility of these children, and do it in a way that preserves the health and safety of the children and of the learning environment in which they're in.

"Would school health aides be put into the weighted student formula down the road? I cannot predict that. But if that should happen, then I would trust each school to make the decision on how they can fulfill that responsibility for the health needs of their students and not compromising that, even if it means they may not have a health aide.

"Mr. Speaker, there are laws in place that require the Department of Education to meet certain standards. That does not change with or without a health aide. And may I remind Members, when the Weighted Student Formula was implemented, by year two, eight full time positions as it relates to librarians were lost. But twelve new positions in classroom teachers were gained. In other words, schools made the decision that they may let a librarian go half-time so that they could then hire a teacher, or reading tutors, or whatever the case may be. That was the whole intent and the promise of Act 51.

"And last point, Mr. Speaker. Schools do not exist for employees, for adults in my opinion, Mr. Speaker. Schools exist for schoolchildren. Schools exist not for jobs for all of us. Schools exist so that we can teach the future of this State. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, can I just say that I am in strong support of that, those comments right there. In regards to this bill, I do support it, but I just really support the last statements of the Education Chair. As we take a look at this, how do we do this Weighted Student Formula, we have to be serious of what we passed a few years ago, and he said it better than I could have. Thank you."

Representative Sagum rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I have reservations with regard to HSCR 1199, HB 16, HD1: Relating to Education.

"When the bill was heard in the Committee of Finance, I registered a "no" vote because there was a concern for the job security of the health aides. After listening to the remarks made by the Chairman of the Education Committee, I feel that I can be more comfortable with the transfer of the school health aides from the Department of Health to the Department of Education since they will still receive services from DOH regarding health issues.

"However, I still have concerns that the funding for health aides will be lumped in with the school's general budget, and schools will opt to cut these positions. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 16, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Awana, Carroll and Meyer voting no, and with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1200) recommending that H.B. No. 70, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 70, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure with reservations, stating:

"Mr. Speaker, with reservations and I request permission to insert written remarks into the Journal on Stand. Com. Rep. No. 1200. Thank you."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of House Bill 70, which is Stand Com Report No. 1200. This bill would allow the State to enter into agreements with private developers to build, operate, own or finance transportation facilities such as toll highways. This approach has several advantages over the current method of building highways via tax payments.

"First, the bill would allow the State to alleviate traffic congestion at little or no cost to the taxpayers by financing highways via tolls paid by the users, thus allowing more highways to be built than under the current tax financed system.

"Second, no residents of our State would be harmed by such a toll highway, since no one would be forced to pay for a road they don't use. Unlike the current method of levying taxes upon people who don't use the highway. Everybody is paying for the highways that are built now.

"Third, the users of the highway would all benefit. If anyone felt the price was too high, they would be free to use the existing tax-subsidized highways. The judicious use of 'congestion pricing', where the price is higher during peak traffic hours and lower during lower traffic hours, traffic jams could be avoided altogether as people with flexibility about when to use the highway, such as retirees going shopping who would stay off the highway during peak hours and they would use the regular free highway.

"The highways would be better maintained with fewer potholes since a private highway owner would have a strong incentive to keep attracting customers by promptly fixing problems.

"Some legislators may agree that this bill unfairly penalizes areas where toll highways would be built since commuters there would have to pay for highway use while commuters elsewhere would enjoy the free use of existing highways. However, as pointed out earlier, no one, I repeat, no one would be forced to use or pay for toll highways. And it would make many years or decades under the current system for tax-subsidized highway to be built. In the meantime, people in the areas needing new highways would pay a steep ongoing price in time wasted in congestion traffic and gas wasted in stop and go traffic and vehicle damage caused by potholes and other deferred maintenance.

"Mr. Speaker, toll highways are a fair, more efficient and more effective approach to relieving traffic congestion. I urge all my colleagues to support this measure."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am standing up with reservations. Mr. Speaker, I wasn't planning to stand up and say something, but I need to clarify

some of the words that were spoken by the previous speaker. I guess it was indicated in the testimony just prior to this that there would be no public funds, general funds or taxpayers' monies used in the development and determination of these toll bridges or lanes. However, during the line of questioning in the Committee on Economic Development and Business Concerns which I participated in, I specifically asked the current Acting Director if State funds would be used in some portion or fashion to the development or building of the supposedly toll roads. And he answered that yes, they could make an agreement using this vehicle, make agreements in which taxpayer monies would then be used in the development and partial payment, up to 50% or more, into the design, maintenance and operation of these partnerships.

"Mr. Speaker, we are already being taxed currently for a mass transit system. My community is very open to looking at all forms of alternative transportation. However, do we want to be currently paying for two? It won't be out of the GET, so who's going to pay for it then? Thank you, Mr. Speaker."

Representative Brower rose to speak in opposition to the measure, stating:

"Mr. Speaker, rising in opposition. It's my understanding that the key component of this bill is to double deck Nimitz Highway, which I'm open to, but I believe that toll roads will hurt those who can least afford it because these toll roads will be focused on H-1. And the toll roads, from my understanding, will go up prior to some of the construction for a new lane.

"In addition, there's also, I believe, an issue of who will be managing our highways. Will it be a public entity or will it be government workers? Thank you."

Representative Shimabukuro rose in support of the measure with reservations, and asked that the remarks of Representatives Yamane and Brower be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"I rise in support, mainly because I did believe that this State is not capable of providing all the services that we require, whether it's new hospitals or schools or roads. And I am for whatever we can do to open up that private investment. This is a great first step and we can work out those details, but I think it behooves us to check out every available possibility for increasing private investment in our structure.

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I wish to speak in favor of the toll roads. And actually this bill will provide an option. An option for this present Department of Transportation and future Department of Transportations to use. It doesn't mean we're going to use it at all. But if the situation is such that it warrants it, then they would go to the community and have the hearings out in the community, showing the options that the community has.

"Right now you don't have that many options, Representatives. You have the rail. The rail is going to take fifteen years or more, and it's going to be a direct line from some area in Kapolei to the Ala Moana Shopping Center. There's a big question of how many people are going to be using the rail. I believe in the future it will be great when you start having trunks to different areas on Oahu. But until you have that, and until you can get people away from the automobile, which you won't unless there is some negative incentives, which we as politicians won't do, you're going to have difficulty with the rail to provide the prop to relieve the congestion that we have.

"Now when you look at the other alternatives, the rail will take fifteen years or more. And that's only for the first phase. What other alternatives you have? Right now we have approximately $150 million a year that comes in highway funds, which will probably diminish because it's determined by the gas tax and the amount of gas usage that we have. The future in automobiles is smaller automobiles that have less gas consumption which will mean less dollars coming into the State of Hawaii. This is the future that we have, as far as highway money.

"Now there are 4,000 or 5,000 homes, plenty to be built on the Ewa Plain, on the West side. The University is planned to be built at some point in time. How are you ever going to get out of Mililani if you're going to come downtown? You're going to have constant gridlock? You won't be able to get out unless there are other more practical alternatives for the short-term, and not the rail for the long-term. And tolls may be a consideration. It may be an option that you would want to look at. And that's all it is. It's an option. You're going to want it. Otherwise, you're going to want to stay in your community and don't leave at all. That's an option. But anyway, I'm joshing a little bit. But there is a gridlock problem that's going to be growing and it's getting get worse every day. And the rail is going to take a long to realize.

"Now there's nothing wrong with going in partnerships. That's been done throughout the world. And I think we need to open our mind as to the future of Oahu, especially, as we look into these gridlock problems. And so it is with Maui and other islands. That we need highways from Lahaina all the way to the airport, where you have gridlock in Lahaina. And do you think there's dollars enough to support the problems in Lahaina? The problems on the Big Island? The problems in Oahu with the dollars that we have coming in? It's not going to happen. So I just hope that you can open your minds and look at this as a long term solution, and just as an option. Thank you very much."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I join in support of this bill and the vision and thinking about the future. If you take what has been used in Washington DC and Jakarta, without this option, those cities literally would be gridlocked. And what we have to understand is that this is not a toll road forever and ever. It depends on what kind of a deal we cut with the private people. How much do they cost? How the traffic is going to be, and the numbers. And how far they're going to be down the line. Some can be as short as ten or fifteen years, it pays for itself, and then becomes a free road.

"There's also been use of subsidies, government subsidies in Washington DC. For example, I worked at USAID. I got a $100 worth of bus passes, metro passes to use public transportation, which if this body so chooses, we can subsidize the use of that. There's many ways of doing it. But the previous speaker from Maui is so correct. There is not the money to do it. There are not the options that we have. And this is one that it seems, it's simply one. Let's try it. If it's something, it we pass the bill, at least we can think about it. It doesn't say they're going to use it, but it's going to give the opportunity for us to get out of our communities and get us out of this gridlock which nobody feels that we can do, especially with that train that goes nowhere."

Representative Pine rose to speak in support of the measure, stating:

"Just want to say that I'm in strong support and currently say that we cannot get out of Ewa Beach right now. Basically, I see this as an opportunity for the people of the Leeward Coast to have options and right now we're for anything at this point.

Representative Har rose to respond, stating:

"Thank you, Mr. Speaker. I appreciate the comments of all of my colleagues and I just can't stay silent any longer, so if you could just indulge me please. As I indicated earlier, I rise with reservations on Standing Committee Report No. 1200, H.B. 70, HD 3.

"Mr. Speaker, I rise with reservations on this measure to the extent that it could potentially impact residents of the Leeward Coast. While I'm not adverse to the idea of a public-private partnership between the Department of Transportation and a private entity, I'm opposed in the imposition of a toll to be paid by residents of the Leeward Coast for use of these roads.

"Mr. Speaker, geographic equity refers to issues surrounding how one part of the State is treated compared to another. And in the case of toll roads to be paid by only residents of the Leeward side, I submit that geographic equity is at issue here. As I previously explained in this body, when the State of Hawaii and the City and County of Honolulu, found it necessary to alleviate traffic in Honolulu, government decided to designate Kapolei as the Second City and moved people out to the west side. I, like many of my neighbors and constituents, moved out to the west side because as a first-time homebuyer, it was more affordable. More importantly, we bought into the dream of the Second City.

"Today, unfortunately, I along with many of my neighbors and constituents, feel that the dream of the Second City has turned into a nightmare. Residents of the Leeward side deal with unbearable traffic driving to and from town which has undoubtedly impacted our quality of life. In a recent report released by the Center for Housing Policy, researchers concluded that Oahu residents living outside of Honolulu pay an average 8 to 10% more in transportation costs. And anywhere from 14 to 16% more in combined housing and transportation burdens. Therefore, to expect residents of the Leeward side to pay a toll to find a faster way of getting into town is yet another burden we should not have to endure.

"The proposal of a toll road can be paid for those who would use it, for example, Leeward Coast residents, is a perfect example of geographic equity because if this proposal to pay for a toll road was made to residents of east Honolulu or the Windward Coast, I am certain that those residents would be extremely vocal in opposition. After all, we have managed to keep the country, country in some parts of the island, haven't we?

"A second reason I rise with reservations to the idea of toll roads as they apply to residents of the Leeward Coast, stems from income equity. Income equity refers to the ability of lower income people to access tolled facilities. Economically disadvantaged populations cannot take advantage of the benefits of toll projects. For example if using a toll project …"

Representative Magaoay rose to yield his time, and the Chair, "so ordered."

Representative Har continued, stating:

"Thank you. For example, if using a toll project requires a transponder and you need a credit card or bank account to obtain one, then some people will be denied access to the project. Moreover, as I previously indicated to this body, there is no question when comparing the socioeconomic demographics of the residents of the Leeward side to the residents of East Honolulu or to the Windward side, again, it is inequitable. To expect residents of the Leeward Coast to have to pay a toll as an alternative means of getting into town while residents of the Windward side have essentially four ways for getting into town and do not have to pay for any of those routes.

"A third reason I rise with reservations to this measure deals with projected population and whether there's a ridership to support such toll roads leading from Kapolei to Downtown. In his testimony before the Finance Committee, Assistant Director of Transportation Brennan Morioka testified that 21 other states have enacted legislation to enable public-private partnerships to finance highway capacity improvement including California and Florida. When asked if one of the key factors to the success of these public-private partnerships was population and ridership, Mr. Morioka answered in the affirmative.

"While many of the opponents of the rail support the measure before us today, citing lack of ridership, ironically the same argument applies in the case of toll roads. For example, in Orange County, California the State Road 91, often known as SR-91, high occupancy tollway, was established to alleviate congestion in the Anaheim and Orange County areas. The population however, in Orange County alone is 2 million.

"As we all know, Hawaii has a population of approximately 1.2 million people with approximately 800,000 people living on Oahu. Of that 800,000 living on Oahu, approximately 100,000 residents live on the Leeward side which is just 14% of the population that could potential be utilizing any proposed toll road. It doesn't take a rocket scientist to figure it out that if the projected ridership is not present, the cost of the toll will inevitably be increased.

"It's premature and unwarranted for some of our colleagues to think that a high occupancy toll lane spanning from the Leeward side to Downtown will cost only $2 one way, particularly as we do not have analysis or any private programs that will project the very factors determining the cost of toll roads.

"Mr. Speaker, a fourth reason I rise with reservations on House Bill 70, is the inherent danger that presents itself when a public transportation system is owned, operated or maintained by a private entity. For example, if you look to page 11, lines 14 to 17 of the bill, a private entity would be allowed to collect tolls or user fees including, without limitation, quote, "Lanes and facilities where the tolls may vary during the course of the day or week according to the levels of congestion anticipated or experienced." What this means is that the cost of the toll as proposed in this measure would not necessarily be fixed …"

Representative Caldwell rose to yield his time, and the Chair, "so ordered."

Representative Har continued, stating:

"Thank you, Mr. Majority Leader. What this means is that the cost of the toll as proposed in this measure would not necessarily be fixed, but could increase in the event of congestion, most likely during rush hour. For example, the SR-91 HOV lane in Orange County can cost as much as $7.75 for a ten mile trip during the most congested time.

"While many view public-private partnerships and the implementation of toll roads as the solution to building more roadways, there are additional dangers that exist. More prevalent now are the non-competition agreements that many private entities are imposing on states. For example, in California, strapped for adequate road-building funds, the California Legislature passed a law enabling the California Transportation Department to entertain proposals for up to four privately funded highway projects.

"The SR-91 HOV lane plan was the first project to be funded privately. The State awarded a private entity the contract to build a roadway down the SR-91 median. The private entity required the State of California to assent to the company's requirement for a non-competition agreement so that public highways near SR-91 would not be maintained or improved until the year 2030. In other words the State was to allow the State highways to crumble for decades, forcing the public onto the private toll roads. California eventually agreed that it could not leave their roads to deteriorate and endanger lives so it began to fix the nearby roads. The private entity sued the State of California for breach of contract and the public learned the true cost of the private road. The public was furiously and turned against the project and the government that had agreed to do it.

"Most recently, the General Accountability Office, the non-partisans congressional investigative agency, found that an increasing number of tollways include non-competition clauses in their contract under which the public sector agrees not to build any new roads or approve improvements of the existing roads that may result in additional capacity within a predetermined distance of a newly constructed road for a certain period of time. Where these agreements *per se* did not exist there were "understandings" the state did not build a competing road.

"The SR-91 experience has forced privatization proponents to find creative ways to achieve the same end. One way is to require the states to compensate the private owner for any revenues lost when improvements are made to nearby roads. California State Law 125 includes the provision that allows the State to build a competing road, but only if the State reimburses the private company for revenues lost to the new road. Calculating those revenues is again, is an enterprise filled with uncertainty and opportunities for overreaching.

"Finally, Mr. Speaker I rise with reservations because I am not sure whether building more lanes on our freeways is the answer to our traffic woes. I am skeptical after witnessing the widening of the Waimalu viaduct in Pearl City. The State spent $70 million to widen the H-1 freeway Ewa bound to build six lanes going all the way to the Pearl City off-ramp. But now that it's all said and done, the additional lane has not significantly improved the quality of life in Central Oahu. While proponents of …"

Representative McKelvey rose to yield his time, and the Chair, "so ordered."

Representative Har continued, stating:

"Thank you, Representative McKelvey. While proponents of toll roads cite Black Tuesday as a reason for additional roads, I submit that Black Tuesday epitomizes the need for alternative methods of transportation, such as fixed rail. The point is that in order to alleviate traffic, we need to get cars off the road which is precisely why I support a fixed guideway system on Oahu. Creating additional roads will only encourage people to remain in their cars.

"For these reasons, Mr. Speaker, I rise with reservations on HB 70, HD 2. Should this measure move forward, I ask my colleagues to consider the equitable arguments I have raised and suggest that if one person on this island is required to pay a toll, then all people living on this island should have to pay a toll. Thank you, Mr. Speaker."

At this time, Vice Speaker Karamatsu stated:

"Thank you. Members, we've had a wonderful discussion on this measure. At this time, I allow written comments to be inserted in the Journal."

Representative Ward rose, stating:

"Mr. Speaker, this is very apt, if I may. If I may beg your indulgence. Because the issue of equity, particularly geographical equity, is a very divisive conflict. It's why Yugoslavia broke apart. My position as it was before is in support of this, and strongly for it.

"The notion of saying, 'We are the ones who pay all of the taxes.' That's the way that Yugoslavia broke up. I know we're not Yugoslavia, but we are the districts, and if I may put my district hat on, Mr. Speaker. My district in East Honolulu, the $3 to $6 billion rail and train, which we get no benefit out of, this particular individual who just spoke, has got the benefit of that, but yet is saying, 'Well, we don't have that corridor. We don't want to give the option for other places in the state, such as Maui and other places that may need that option.

"So the irony is that the corridor the runs through the place where the Representatives is objecting the most seems to forget that the train travels right in the particular district of Kapolei of which we, and many other parts of this particular island are paying for. Now where is the equity in that geographical distribution? Thank you."

The Chair then stated:

"Members, the Chair will now allow written comments to be inserted into the Journal."

Representative Cabanilla rose to speak in support of the measure, stating:

"Just brief comments, Mr. Speaker, in strong support."

Vice Speaker Karamatsu: "To be entered in the Journal in support?"

Representative Cabanilla: "No, I want permission to insert comments plus …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. I believe you've made a ruling and people should be following that ruling. Thank you."

Vice Speaker Karamatsu: "Representative Cabanilla, could you please …"

Representative Cabanilla: "I just would like the ORTP of 2030 to be inserted in the Journal in addition to my remarks, and also an article from the *Small Business News* by honolulutraffic.com that outlines the State's ability to build new freeways and new lanes."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of this bill. To accompany my remarks Mr. Speaker, I request that the Oahu Regional Transportation Plan 2030 that was approved by the Policy Committee of the Oahu Metropolitan Planning Organization in April 2006 be inserted into the Journal.

"On page 7 of the 2030 Oahu Regional Transportation Plan, is a category entitled, "Illustrative Projects." The description reads, "The Oahu Regional Transportation Plan 2030 identified potential projects that could prove beneficial as transportation improvements for the island of Oahu, but 2030 revenue projections could not support inclusion of these projects in the plan." Meaning, there is no money to fund either a Pearl Harbor crossing by way of a tunnel or bridge, and no monies to design and construct an elevated reversible high occupancy toll lane within the H-1 travel corridor.

"Furthermore, still referencing the ORTP 2030 document, on page 13, illustrations reflect that there is only $3.28 billion for highway construction statewide through the year 2030. This money is to build new roads, the small connecting roads that communities have been waiting decades for Mr. Speaker. In other words, not one inch of new freeway is being financed by the State to construct additional lanes that would go all the way from the Leeward side of Oahu into town.

"For my colleagues that agree with me that we are in a transportation crisis, please accept the fact that the State fiscally can not afford to entertain the planning, design, and construction of a new freeway to augment the H-1 without sacrificing any and possibly all other highway projects planned statewide for at least another 20 plus years.

"Bottomline Mr. Speaker, is that if traditional means were to be employed to construct a 15 to 20 mile brand new reversible elevated road without utilizing a toll, the costs to the State taxpayer could range from estimates at $1 billion to $2.7 billion dollars. At this time

Mr. Speaker, I request that I be permitted to include in the Journal an article from this month's *Small Business News* by HonoluluTraffic.com that outlines the State's ability to build new freeway lane miles.

"Simply put, HB70, HD3 is a tool for the Governor to address our transportation crisis. To vote against HB70 HD3, is a vote to do nothing. A vote of "no" accepts the status quo as acceptable. No new major freeway is expected or even planned to be financed by the State especially with federal subsidies shrinking.

"The Ewa Neighborhood Board took a position last month to favor this bill. They were smart enough to support this bill because without it, they knew that nothing can or will be done to address the needs of the motorist now or in the future. They did their homework Mr. Speaker. They studied the alternatives and participated in numerous OMPO meetings to get educated on the facts. As the Representative for the Ewa and Waipahu area, I can assure you Mr. Speaker that my constituency supports the concept of the toll road knowing that nothing else will be on the table in our lifetime to alleviate our plight outside of a toll road.

"HB70, HD3 permits the private sector to construct new freeway lanes and to recoup its costs through the collection of a toll. Over 20 States and numerous other countries employ the means of tolling. If you don't use the toll road, you do not have to pay for it. Use it, then pay. Nothing could be better for the taxpayer.

"The payment of a toll has been linked with the phrase, "Congestion Insurance."

"Congestion insurance provides the motorist with an alternative. For example, it is a fact that the rate of flow of traffic on Martin Luther King Day during the zipper lane repair ordeal is to be the everyday norm for Oahu's H-1 freeway by the year 2030. Imagine, if no new freeway is built, a one and a half hour commute today will be a three hour commute in less than 20 years. Congestion insurance is knowing that you have the option of taking a two hour ride and shaving it down to 20 minutes with the payment of a few dollars. Tolling technology today utilizes billing methods that permit the motorist to not have to stop at all once on the actual freeway, but instead be billed by mail or by debit with scanning features applied to the vehicle.

"A statement was made by a colleague in Finance Committee earlier this week that opined if another freeway were made available, where would all the cars go once in town? The answer is simple. The same people going into town using the H-1 are the same people who could use the toll road. The equation is the same – only that these same motorists utilizing the toll road will get to town quicker. What is wrong with getting the motorist into town quicker? What is wrong with providing a better quality of life for those that cannot give up their car within their daily routine?

"In conclusion Mr. Speaker, without this measure passing, the motorists' quality of life will continue to dwindle with no relief in sight other than to forfeit one's own car and be subjected to ride the bus or train. The majority of us will want to continue to use our cars no matter how many buses or trains are available because for the majority of residents in our State, that's how they conduct their business. By voting no, is to explain to every motorist that you will just have to endure the traffic congestion because without the private sector's assistance, no new lanes are forthcoming, period."

WHAT IS THE ORTP?

The Policy Committee of the Oahu Metropolitan Planning Organization (OahuMPO) approved the Oahu Regional Transportation Plan (ORTP) 2030 in April 2006.

The ORTP 2030 is a blueprint that guides us in putting together pieces of the transportation puzzle to address the mobility issues and transportation needs of our community. It is a multifaceted plan that integrates planned growth patterns and reflects available financial resources over the next 25 years. It includes a vision and goals, identifies projects and provides an implementation program for mid- and long-range investment of the available transportation funds across Oahu in a fair and equitable manner.

The development of the plan helps decision-makers understand the options that are available for improving the transportation system and how they address our mobility needs. Any future transportation improvement for Oahu that receives federal transportation funds must be consistent with the ORTP in order to be eligible for these funds.

This regional planning document is required by a number of state and federal mandates and requirements which include the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users ("SAFETEA-LU"). These requirements are mandated by the U.S. Department of Transportation as a means of verifying the eligibility of metropolitan areas for federal funds earmarked for surface transportation systems.

The ORTP is updated at least every five years to ensure that transportation decisions are based on current information and community priorities. As part of each update, future population and employment are projected and corresponding changes in travel patterns, revenue, and construction costs are forecast to validate and test past and new directions for transportation development on Oahu. The ORTP 2025 was adopted in April 2001. The current plan, adopted in April 2006, updates the ORTP to 2030.

LOOKING AT THE FUTURE OF OAHU

The Primary Urban Center (PUC) in Honolulu and the Secondary Urban Center in Kapolei have been designated by the City and County of Honolulu as the projected areas where growth in residential development and employment shall occur over the next 25 years. Additional growth is encouraged in Central Oahu to relieve pressure on the rest of the island.

Figure 1 graphically shows the amount of future growth in residential development and employment expected in each of the eight development plan areas of Oahu. Of the 240,000 new residents and 130,000 new jobs expected on Oahu by 2030, about 80 percent will be located in the PUC and in Ewa.

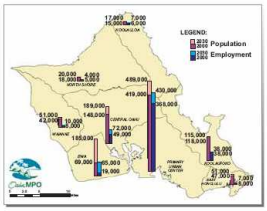


FIGURE 1: POPULATION AND EMPLOYMENT GROWTH BY DEVELOPMENT PLAN AREA

Transportation and New Growth

As we continue to grow, more people and more employment opportunities mean more and more traffic; more clogged roads and more delays getting to work, school, stores, and the beach. As an illustration of how congested the transportation system could become, a "Baseline 2030" analysis was conducted to estimate future traffic conditions if growth is allowed to occur but no new transportation facilities are built. Figure 2 shows significantly congested locations on Oahu during the morning peak hour in the Baseline 2030 analysis.

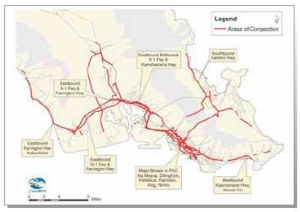


FIGURE 2: LOCATIONS OF SIGNIFICANT AM CONGESTION (BASELINE 2030)

The impact of the congested roadways corresponds to increases in travel time for all Oahu residents; some increases are huge, depending upon where they live and work. Figure 3 shows the travel time from each area on Oahu to downtown in the Year 2000. Figure 4 shows the projected travel time from each area on Oahu to downtown Honolulu for the Baseline 2030 if nothing is done. Travel times in excess of 80 minutes are projected from the western and northern portions of the island to downtown Honolulu during the AM peak period.

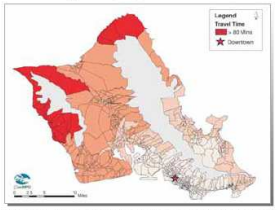


FIGURE 3: AM PEAK PERIOD TRAVEL TIME TO DOWNTOWN (YEAR 2000)

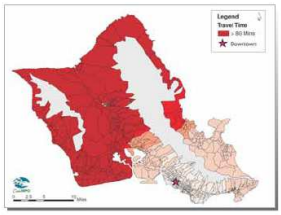


FIGURE 4: AM PEAK PERIOD TRAVEL TIME TO DOWNTOWN (BASELINE 2030)

Challenges Facing Oahu

To solve the transportation puzzle, we must address several challenges that Oahu will face over the next 25 years:

- We will have more people: more people who want to go to work, to school, to shop, and to play, resulting in about 30% more travel.
- Many of our major roadways are congested, especially those within the H-1 travel corridor between Manoa/Waikiki and Kapolei. As a result, residents on the Waianae Coast, in Ewa, and in Central Oahu are experiencing some of the worst morning commute travel times to downtown.
- Established communities want additional access for times of emergency as well as congestion relief.
- Many of our existing roadways need to be maintained, repaired, and rehabilitated.
- Our numerous transportation needs are constrained by our limited resources.

Our ultimate challenge is to decide how to allocate our resources to meet our many needs. There is only so much money available to fund transportation projects. How much money should be spent to reduce congestion on our roads, make our streets safer, provide more bikeways, create alternate accesses to communities, and maintain our roadways?

VISION FOR OAHU IN 2030

The vision for the ORTP 2030 is:

> *In 2030, Oahu is a place where transportation choices are available and the importance of the H-1 travel corridor is recognized.*

The first part of our vision focuses on increasing our mobility options. We recognize that we cannot afford to eliminate congestion. To improve mobility, the ORTP 2030 provides a number of strategies and programs to address the island's future transportation needs. These include major capital improvement projects that add to the system's person-carrying and vehicular capacities, projects that expand on the existing systems and services to optimize their use, increased focus on operational, management and preservation strategies, and programs that help integrate the transportation system into the land uses of each community.

This vision also acknowledges the importance of the H-1 travel corridor. The projects included in the transportation plan propose numerous ways to address the additional traffic congestion expected to increase along this travel corridor:

- A major component of the ORTP 2030 is a rail transit system between Kapolei and Manoa/Waikiki.
- Also included in the plan are projects to increase the capacity of H-1 itself with new interchanges, additional High Occupancy Vehicle (HOV) lanes, freeway widening, and operational improvements at key locations. These major H-1 travel corridor projects are supplemented with two projects that provide alternatives to H-1: the intra-island commuter ferry from Ewa to downtown Honolulu and the Nimitz flyover HOV facility.
- The ORTP 2030 implements the island's bikeway plan, expands the bus system, includes several second access/emergency access roadways and projects to maximize the use of existing facilities, and other measures to reduce the need for auto travel.

GOALS

The ORTP 2030 will advance us toward the vision for addressing future growth and traffic on Oahu. To meet our vision, the island-wide transportation plan for Oahu is defined by three overarching goals.

Transportation Services System: *Develop and maintain Oahu's islandwide transportation system to ensure efficient, safe, convenient and economical movement of people and goods.*

The objectives guiding this goal include increasing capacity of the system, providing an efficient and convenient transit system; providing access to all important destinations, serving all intermodal terminals, ensuring that projects are distributed equitably, ensuring that safety and security is provided, integrating the entire system, supporting economic development and providing for system preservation.

Environment and Quality of Life: *Develop and maintain Oahu's transportation system in a manner that maintains environmental quality and community cohesiveness.*

The objectives associated with this goal are directed at developing a plan that satisfies noise, air and water quality standards; encourages energy conservation; preserves cultural integrity and natural resources; develops alternative transportation modes that are environmentally friendly, including pedestrian walkways and bicycle routes; optimizes use of transportation resources; minimizes disruption of neighborhoods; ensures compatibility with the physical and social character of existing development; incorporates landscaping and public safety; and plans for emergencies.

Land Use and Transportation Integration System Goal: *Develop and maintain Oahu's transportation system in a manner that integrates land uses and transportation*

The objectives that support this goal reinforce planned population distribution and land use development policies, encourage innovation, and encourage implementation of land use policies that support efficient use of transportation systems.

OVERVIEW OF ORTP 2030 PROJECTS

The ORTP 2030 is a financially-constrained plan that provides $6.07 billion for capital projects and $7.47 billion to operate, maintain, and preserve the highway and transit systems. The projects contained in the ORTP 2030 attempt to balance our need for mobility options, congestion relief, safety, second access, and bicycling and pedestrian facilities.

To improve mobility, a number of strategies and programs are proposed. These include new travel options such as rail transit and ferry systems that add to the system's person-carrying capacities; projects that expand upon the existing systems and services to optimize their use; increased focus on operational, management and preservation strategies; and programs that help integrate the transportation system into the land uses of each community.

With regard to congestion relief, the technical analysis and public input received during this effort highlighted the need to focus on the H-1 travel corridor and the Ewa and Central Oahu areas. Preliminary analysis indicated that island-wide congestion could be significantly addressed by focusing on the H-1 travel corridor. The need for transportation infrastructure in the Ewa area is already apparent and will increase in the future as population and employment are projected to grow substantially. Additional population and employment increases are also projected in Central Oahu.

The following provides descriptions of specific elements of the plan. Individual projects are listed on pages 15 through 19.

Rail Transit System

A key component of the ORTP 2030 is a rail transit system that will serve the H-1 travel corridor. It is important to note that building a rail system will not eliminate congestion. We will also not be able to eliminate congestion by building more highways, for we do not have the resources to keep up with the demand. The rail transit system will give priority to moving people rather than cars, will be a major factor in providing mobility options, and will work together with our land use policies in shaping our city.

The proposed rail transit system from Kapolei to Manoa/Waikiki will become the backbone of the transit system, connecting major employment and residential centers to each other and to downtown Honolulu. This project also includes associated feeder bus services for each station and access ramps and other freeway improvements to facilitate the flow of buses that supplement the rail system.

Transit System Expansion

While rail transit is the backbone of the transit system in the ORTP 2030, the existing bus system will continue to be an important element of public transportation. Many rail system passengers are expected to access the system using City buses traveling to and from their destination. Expansion of the bus system will be focused primarily in Ewa, with moderate increases in other parts of Oahu, including express bus service to rural areas. Purchasing and replacing new buses to support service increases are included in the plan.

An additional element of future transit service implements an intra-island express ferry service from Ewa to Honolulu Harbor.

Congestion Relief

The ORTP 2030 acknowledges that auto travel is, and will continue to be, a dominant travel mode and; subsequently, increases in roadway capacity will be required. This is especially true in the H-1 travel corridor and where congestion is forecast to increase significantly if new projects are not constructed. This plan provides an additional 140 lane-miles to Oahu's major roadways.

As part of the ORTP 2030, new and expanded roadway projects are proposed for the Ewa area, Central Oahu, and PUC, where the majority of the residential and employment growth is projected. For the Ewa area, these projects include expansion of several roadways like the North-South Road and Kapolei Parkway; new or modified freeway interchanges in Kapolei and Makakilo; and the widening of existing roadways such as Farrington Highway, Fort Barrette Road and Kunia Road. Examples of roadway projects in the Central Oahu area include expansion of Kamehameha Highway and H-1 between the Waiau and Waiawa Interchanges; and widening and improvements at the H-1 and H-2 Waiawa Interchange. Several capacity enhancement projects to various sections of Interstate Route H-1 from Pearl City to downtown Honolulu are also programmed.

Bicycle Facilities

One hallmark of a livable city is that its public spaces are actively used and the outdoors can be enjoyed. Honolulu is a great city for bicycles with its physical beauty, mild year-round climate, relatively flat coastal plain and compact form. Enhancing the appealing qualities of Oahu can be achieved in part by integrating bicycle facilities as a key component of the transportation system. The ORTP 2030 incorporates the Oahu elements of *Bike Plan Hawaii* and the "Priority One" projects identified in the *Honolulu Bicycle Master Plan*. This provides Honolulu with an integrated network of on-road bike lanes and off-road shared-use paths to link people with their favorite destinations.

Pedestrian Facilities

The majority of us walk to get to our cars, catch a bus, and run errands on our lunch breaks. Some of us walk for exercise as well as to get to work and to shop. In past plans, pedestrian facilities were combined with bicycle facilities. We recognize that the needs of pedestrians are, in many cases, different from those of bicyclists. To address this difference, the ORTP 2030 includes development of a pedestrian plan for Oahu as part of the Enhancement Projects.

Intelligent Transportation Systems

The ORTP 2030 contains an intelligent transportation systems (ITS) line item. ITS is a collection of technologies that enable multiple agencies to work together to manage the transportation network better. ITS can include services for highways, transit services, commercial vehicle operations, and emergency service providers. ITS technologies can be used for emergency response and incident management. They are effective in lessening the amount of time it takes to clear an accident on the freeway as well as providing travelers with information on traffic conditions and transit schedules.

TDM and TSM

Transportation Demand Management (TDM) and Transportation System Management (TSM) programs consist of measures that are designed to reduce the demand and increase the efficiency of the transportation system. The TDM and TSM programs for Oahu include facilities to enhance flow, such as HOV lanes on freeways, park-and-ride lots, bus-only lanes on city streets, and even separate HOV facilities. Also included are programs to help form and maintain carpools and vanpools as well as programs to give people incentives to rideshare.

Second Access Highways

While the coastal plains are relatively flat, Oahu's interior terrain is divided by two primary mountain ranges that can make access between communities difficult. Many of the established communities on the island have only one roadway into and out of the area. Providing a second means of access to these communities serves to increase the capacity to these areas and to provide needed emergency access. Four "second access" projects are included in the ORTP 2030 for Makakilo, Mililani Mauka, Wahiawa, and the Waianae Coast.

Operations, Maintenance and System Preservation

The ORTP 2030 recognizes the importance of the existing and future roadways and transit systems from the perspective of operations, maintenance and preservation. The plan includes the allocation of funding for these categories totaling $7.47 billion or approximately 55% of the plan cost. This funding covers both City and State facilities.

City operations and maintenance funding includes operating the public transit system (TheBus, paratransit, the proposed rail system, and the proposed commuter ferry system), transit vehicle replacement, and roadway system maintenance and operations. A total of approximately $5.62 billion is estimated for City operations and maintenance over the 25-year life of the plan, consisting of about $4.675 billion for transit operations and maintenance, $414 million for replacement of the existing bus fleet (identified as part of "Transit Capital: Non-Rail" in Figures 19 and 20), and $532 million for roadway system maintenance and operations.

Maintenance and operation of the State's existing and future highway operations and routine maintenance includes, but is not limited to, pavement repair, guardrail and shoulder improvements, lighting improvements, drainage improvements, sign upgrades and replacement, traffic signal upgrade and retrofit. About $850 million is allocated in the plan for State maintenance and operations.

- The added transportation improvements in the ORTP 2030 are forecasted to reduce the average travel time per vehicle trip from 11.5 minutes to 10.4 minutes.
- Daily vehicle hours of delay decrease from 42,000 to 37,000 hours, as seen in Figure 14.
- Indicators for traffic congestion during the AM peak period are mixed.
  - From an islandwide perspective, auto drivers can expect more "bottlenecks."
  - Average travel times from various areas on Oahu to Downtown improve slightly between the Year 2000 and the ORTP 2030 when comparing Figure 3 with Figure 9, with the differences highlighted in Figure 10. Travel time is projected to decrease from 22.7 minutes to 21.0 minutes.

Comparing the ORTP 2030 to the Baseline 2030 conditions:

- The Baseline 2030 provides limited transit improvements such that transit mode share is reduced from Year 2000, as shown in Figures 6 and 7. Notably, resident transit trips are projected to increase to 8.9% under the ORTP 2030 (3.4% more than the baseline condition), with the percentage of automobile and bike/walk trips decreasing. The increase in transit mode share translates into 123,000 additional transit trips (126,000 with visitor transit trips, as shown in Figure 15).

FIGURE 8: LOCATIONS OF SIGNIFICANT AM PEAK PERIOD CONGESTION (ORTP 2030)

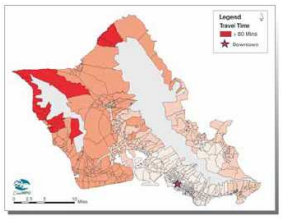


FIGURE 9: AM PEAK PERIOD TRAVEL TIME TO DOWNTOWN (ORTP 2030)

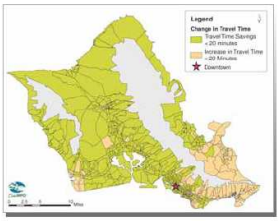


FIGURE 10: CHANGE IN AM PEAK PERIOD TRAVEL TIME TO DOWNTOWN (YEAR 2000 TO ORTP 2030)

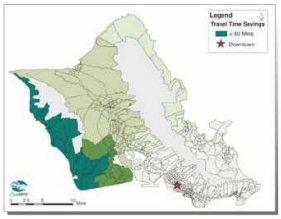


FIGURE 11: CHANGE IN AM PEAK PERIOD TRAVEL TIME TO DOWNTOWN (BASE LINE 2030 TO ORTP 2030)

The ORTP 2030 allocates $1.0 billion over the life of the plan to preserving the highway system through projects including, but not limited to, bridge replacement and seismic retrofit, pavement preventative maintenance, erosion control, viaduct improvements, and road resurfacing and rehabilitation projects.

Illustrative Projects

The ORTP 2030 planning process identified many potential projects that could prove beneficial as transportation improvements for the island of Oahu, but 2030 revenue projections could not support inclusion of these projects in the ORTP 2030 at this time. As part of the endorsement of the ORTP 2030, the OahuMPO Policy Committee identified a subset of those projects as "Illustrative projects."

Illustrative projects are those projects that are considered high-priority for inclusion into the regional transportation plan should additional, firmly-established funding revenue sources become available. Illustrative projects are not considered to be a part of the officially endorsed regional transportation plan. Projects considered in the plan development and included on the ORTP 2030 illustrative projects list include the concept of a Pearl Harbor crossing (tunnel or bridge) and elevated reversible high occupancy toll ("HOT") lanes within the H-1 travel corridor.

HOW THE PROJECTS WORK TOGETHER

Between 2000 and 2030, we project that the number of trips people make will increase by just over 30%. This means about a third more people wanting to go to work, school, stores, beach and other places. Travel forecasting models were used to estimate how projects contained in the ORTP 2030 would collectively handle this demand. To help evaluate the quality of our future transportation system, comparisons were made between the ORTP 2030 and 1) Year 2000 conditions, and 2) Baseline 2030 conditions.

Comparing the ORTP 2030 to the Year 2000 conditions:

- Although we do not expect the percentage of people biking or walking to significantly change, transit ridership is projected to increase. As seen in Figures 5 and 7, the transit mode share is projected to increase from 5.7% to 8.9%, which translates into about 166,000 additional transit trips (170,000 with visitor transit trips as shown in Figure 15). Although the percentage of automobile trips is expected to decrease from 84.0% to 81.0%, there is still projected to be over 600,000 additional automobile trips.
- The added population growth and roadways in the ORTP 2030 will generate more travel during the day, resulting in a 22% increase in vehicle miles traveled (VMT) and 17% increase in vehicle hours traveled (VHT), as seen in Figures 12 and 13, respectively.

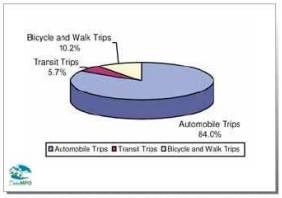


FIGURE 5: YEAR 2000 DAILY RESIDENT PERSON TRIPS

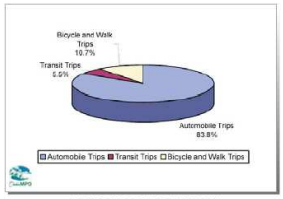


FIGURE 6: BASELINE YEAR 2030 DAILY RESIDENT PERSON TRIPS

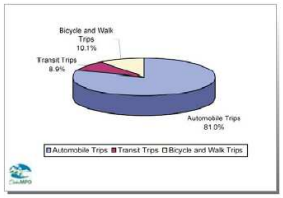


FIGURE 7: ORTP 2030 DAILY RESIDENT PERSON TRIPS

- Figures 12, 13, and 14 illustrate that if no new transportation projects are built under Baseline 2030, we can expect congestion to significantly worsen. Improvements contained in the ORTP 2030 work together to reduce this congestion, with a resulting 6% decrease in VMT, 41% decrease in VHT, and 85% decrease in daily vehicle hours of delay.
- The transit mode share by residents is projected to increase to 8.9% (3.4% more than the baseline condition), with the percentage by automobile and bike/walk trips decreasing. The increase in transit mode share translates into 123,000 additional transit trips (126,000 with visitor transit trips).
- Indicators for traffic congestion during the AM peak period are positive, suggesting that the ORTP 2030 will alleviate the substantially increased delays and travel times projected in the Baseline 2030 along the H-1 travel corridor.
  - From an islandwide perspective, auto drivers can expect fewer "bottlenecks," as can be seen in comparing Figure 2 with Figure 8.
  - Average travel times from various areas on Oahu to Downtown decrease by 26.0 minutes, from 47.0 minutes to 21.0 minutes. As seen in Figure 11, Waianae Coast and Ewa residents realize the greatest travel time savings. However, it should be noted that there will still be pockets on the Waianae Coast and North Shore where travel times to downtown Honolulu are still expected to exceed 80 minutes during the AM peak period.

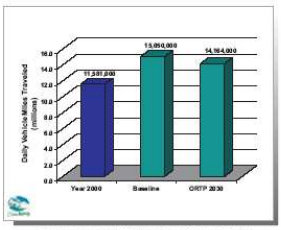


FIGURE 12: DAILY VEHICLE MILES OF TRAVEL

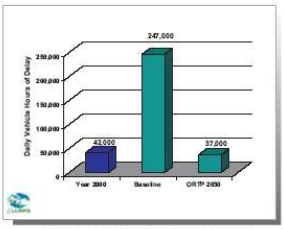


FIGURE 14: DAILY VEHICLE HOURS OF DELAY

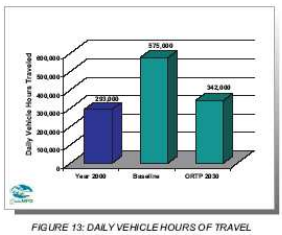


FIGURE 13: DAILY VEHICLE HOURS OF TRAVEL

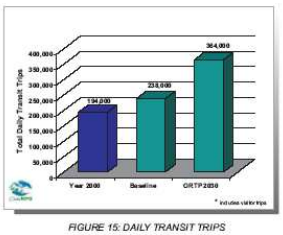
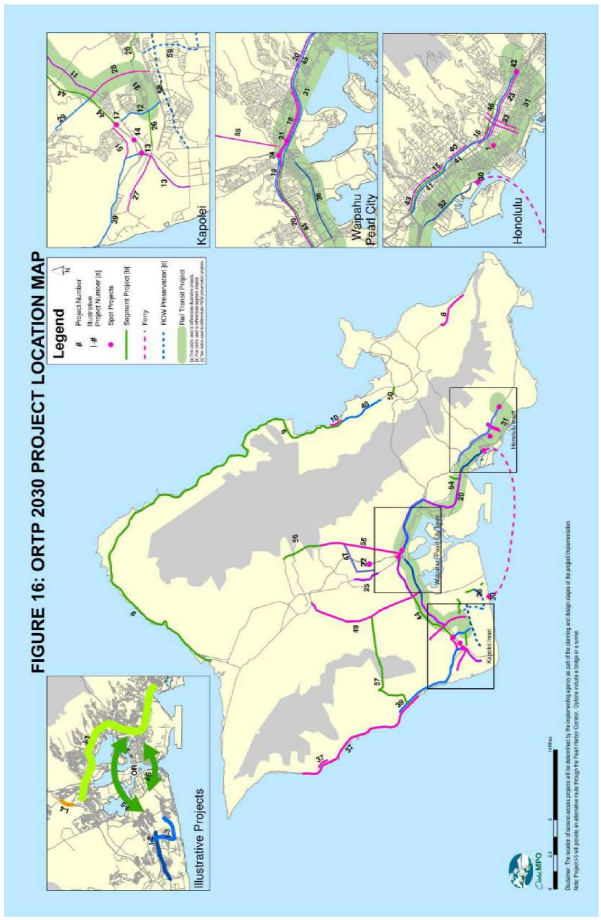


FIGURE 15: DAILY TRANSIT TRIPS



Revenue projections are used to estimate the level of transportation "supply" Oahu can reasonably afford and are based on the best available information. The primary purpose of these projections is to ensure the financial viability of the ORTP 2030 from a regional perspective. As projects move from the ORTP 2030 to the development of individual projects, funding assumptions (e.g., source of funds, level of funding, etc.) may be modified. Generally, these modifications should not substantially affect the ORTP 2030 financial plan. Revisions to the ORTP and its financial plan can be made during its regular five-year update cycle or when an action triggers the need for such an adjustment. Amendments to the ORTP 2030 financial plan may be made if major changes are made to the funding assumptions that would affect the plan's financial viability.

Cost of Plan

The ORTP is a financially balanced plan; the total cost for the 25-year plan is limited to $13.54 billion. The cost estimates for the plan include capital improvement projects, costs to operate and maintain the current and expanded transit system, and costs to maintain and preserve the highway system, as identified in Figure 19.

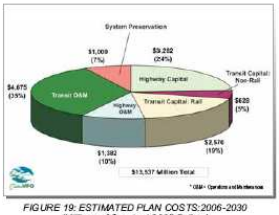


FIGURE 19: ESTIMATED PLAN COSTS: 2006-2030
(Millions of Constant 2005 Dollars)

The plan provides $1.0 billion for highway system preservation. Maintenance and preservation of the transportation system is important because it provides a safe and efficient system for Oahu's roadway users. Without timely maintenance, the life of the transportation system would be shortened, leading to more expensive replacement costs as the system fails prematurely. The plan also sets aside $1.38 billion for highway operations and routine maintenance ($0.85 billion for State and $0.53 billion for City & County), and $4.68 billion to operate the transit system (bus, paratransit, ferry, and rail), of which $144 million is to operate and maintain the commuter ferry.

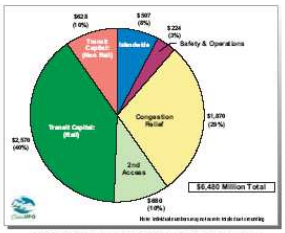


FIGURE 20: PROJECT CAPITAL COSTS BY TYPE
(Millions of Constant 2005 Dollars)

The ORTP 2030 includes more than $6.48 billion in capital costs, as seen in Figure 20: $3.28 billion for highway construction, $0.63 billion to implement a ferry system, purchase new buses and construct transit centers, and $2.57 billion to build the rail system.

In order to counter some of the neglect of the past, the plan increases spending for system preservation in the early years, then reduces the amount of spending in later years back to traditional levels, as shown in Figure 21.

The financial plan for the ORTP 2030 is balanced, with projected revenues and estimated costs matched at $13.54 billion over the 25-year period of the plan.

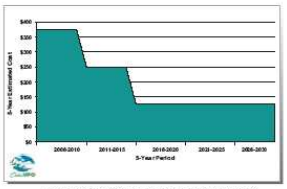


FIGURE 21: SYSTEM PRESERVATION COSTS
(Millions of Constant 2005 Dollars)

PAYING FOR THE PLAN

The ORTP 2030 is a financially balanced plan that optimizes projected costs with anticipated revenues.

Sources of Revenue for the ORTP

The primary sources of revenues used to support the surface transportation system for Oahu have been, and will continue to be, the Federal, State, and City and County governments. We estimate that about $13.5 billion will be available over the next 25 years for transportation on Oahu as shown in Figure 17.

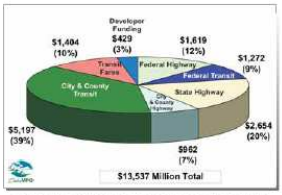


FIGURE 17: ESTIMATED TRANSPORTATION REVENUES: 2006-2030 (Millions of Constant 2005 Dollars)

The federal portion of these funds, which represents about 21% of the total, is provided through highway funds from the Federal Highway Administration (FHWA) and transit funds from the Federal Transit Administration (FTA).

The State portion, which represents about 20% of the total, comes from the Highway Special Fund and the State Capital Improvement Program (CIP). The Highway Special Fund receives its money from the State liquid fuel tax, registration fees, motor vehicle weight tax, and car rental/tour vehicle tax.

Revenues from the City and County of Honolulu will pay for about 46% of the transportation system costs from 2006 to 2030. Figure 18 identifies the various sources of City funds, including the General Fund as well as County fuel tax, County motor vehicle weight tax, and public utility franchise tax. The County's 0.5% general excise tax (GET) 15-year surcharge (beginning in 2007) to fund the rail transit system component of the Plan is assumed.

The City and County also collects transit fares that cover 27% to 33% of the cost to operate the bus system.

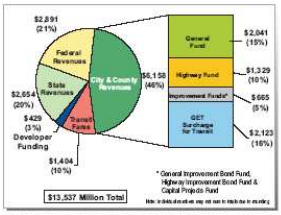


FIGURE 18: BREAKOUT OF CITY & COUNTY CONTRIBUTION TO TOTAL REVENUES: 2006-2030
(Millions of Constant 2005 Dollars)

For planning purposes, a portion of the plan is expected to be funded by the private sector to cover some highway project costs and a portion of the TDM element of the ORTP 2030. Although this source is labeled "developer funding," it is not limited to impact fees and includes other options allowed by state law or county ordinances.

The assumed level of revenues from developer contributions is not intended to establish any developer funding obligations, commitments, or guidelines. Actual funding obligations and commitments will be determined through other planning efforts of the City and County and/or the State.

Revenue Projections

The amount of money that will be available to pay for the capital improvement projects included in the plan and the cost to operate and maintain the system over the 25-year life of the plan were projected using historical trends and future expectations.

Total revenues of approximately $13.54 billion are anticipated over the 25-year life of the plan. The $13.54 billion includes $2.9 billion in Federal funds, $2.7 billion in State funds, $6.2 billion in City & County funds, $1.4 billion in transit fares, and $0.4 billion in developer funding.

For ORTP 2030 planning purposes, the following assumptions were made:

- Recent trends for Federal highway and transit funds allocated to Hawaii will continue.
- The City and County will obtain $456 million in federal funds (in 2005 dollars) to assist in the construction costs for the rapid transit system.
- 60% of the State's CIP funds will be spent on Oahu.
- 54% of the federal funds apportioned to the State will be spent on Oahu.

SUMMARY

The ORTP 2030 provides a multi-pronged approach to achieve our vision and address our future travel needs. Forecasted congestion is reduced and mobility options increased. Specifically:

- The H-1 travel corridor is identified as our priority corridor.
- A rail transit system that will serve the H-1 travel corridor is a key component of the ORTP 2030.
- Capital projects that serve those who do not or choose not to drive, those who require another access to their community, and those who seek some relief from congestion are planned.
- More than 50% of the plan dedicates funding for system preservation projects and operations and maintenance projects.

Although the ORTP 2030 provides significant improvements over the Baseline 2030, we should still expect more bottlenecks in the future with some improvements in average overall travel time to downtown Honolulu during the morning peak period when compared to 2000.

The ORTP 2030 fulfills the Transportation Services System Goal through developing and maintaining Oahu's islandwide transportation system to ensure efficient, safe, convenient and economical movement of people and goods. The plan increases the capacity of the system, providing an efficient and convenient transit system serving many destinations across the island. The planned projects are distributed across Oahu, supporting economic development and providing funds to support system preservation.

The ORTP 2030 fulfills the Environment and Quality of Life Goal by developing and maintaining Oahu's transportation system in a manner that maintains environmental quality and community cohesiveness. The plan strives to achieve this goal by improving air quality and encouraging energy conservation through the reduction of VMT; and developing alternative modes of transportation that are environmentally friendly – including transit, pedestrian walkways and bicycle routes – while optimizing use of transportation resources and minimizing impacts on cultural and natural resources and disruption of neighborhoods. The plan considers compatibility with the physical and social character of existing development, incorporates transportation system enhancements, and includes improvements that address public safety and emergency planning.

The ORTP 2030 fulfills the Land Use and Transportation Integration System Goal by developing and maintaining Oahu's transportation system in a manner that integrates transportation with the City's land use policies. The plan reinforces planned population distribution and land use development policies, encourages innovation, and encourages implementation of land use policies that support efficient use of transportation systems.

ORTP 2030 PROJECT LIST

Each project in the ORTP 2030 is listed in Table 1 and shown on Figure 16. They are prioritized into a "Mid-Range Plan" to be implemented over the next 10 years; and a "Long-Range Plan" to be implemented over the final 15 years of the plan. Projects were placed within each time period based on anticipated funding and the following guidelines:

- Projects of different categories (e.g., islandwide, congestion relief, second access, transit) are placed in both the mid-range and long-range plans. An exception is the placement of all safety projects into the mid-range plan.
- Projects on the FYs 2004-2006 TIP are placed in the mid-range plan.
- Basic elements of projects in the Ewa/Kapolei area are placed in the mid-range plan.

In addition, each project has been given a City and County of Honolulu ("C") or State of Hawaii ("S") designation. While the ORTP 2030 identifies projects as falling under the jurisdiction of either the City or the State, it is done so for reasons of financially balancing the project revenues with the order-of-magnitude cost estimates. This designation does not preclude an entity other than the City or the State from constructing the roadway partially or in its entirety.

TABLE 1
OAHU REGIONAL TRANSPORTATION PLAN 2030
MID-RANGE PLAN AND LONG-RANGE PLAN PROJECT LIST

Project No.	City or State	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
			MID-RANGE PLAN (2006 TO 2015)	
ISLANDWIDE PROJECTS - 2006 to 2015				
1	C/S *	Alapai Transit Center & Joint Transportation Management Center	Construct a multi-use facility at Alapai Street to include a transit center, City-State transportation management center, and other operations.	$30.0
2	C/S *	Bike Plan Hawaii - Oahu	Implement Oahu elements of the State of Hawaii's *Bike Plan Hawaii*. (*Bike Plan Hawaii* includes only "Priority One" projects as identified in the *Honolulu Bicycle Master Plan*.)	$40.6 of $101.6 total in 1st 10 years
3	C/S *	Enhancement Projects	Implement enhancement projects, including, but not limited to, projects from the *Transportation Enhancement Program for Oahu*. Includes development of a pedestrian plan for Oahu.	$20.0 of $50.0 total in 1st 10 years
4	C/S *	Intelligent Transportation Systems (ITS)	Implement ITS projects including, but not limited to, those identified in the *Oahu Regional ITS Architecture*.	$60.0 of $150.0 total in 1st 10 years
5	S	Rockfall Protection, Various Locations	Install rockfall protection or mitigation measures along various state highways at various locations.	$22.5
6	C/S *	Transportation Demand Management (TDM) Program	Develop an aggressive TDM program that could include, but is not limited to: 1. Free real-time online carpool matching, 2. Outreach promotion and marketing of alternative transportation, 3. Emergency ride home program, 4. Major special events, 5. Employer based commuter programs, 6. Emerging and innovative strategies (i.e., car sharing).	$62.9 of $152.9 total in 1st 10 years
7	S	Van Pool Program	Continue implementation and expansion of the State's Van Pool Program.	Included as part of project # 6
SAFETY & OPERATIONAL IMPROVEMENT PROJECTS - 2006 to 2015				
8	S	Kalanianaole Highway, Safety & Operational Improvements, Olomana Golf Course to Waimanalo Beach Park	Construct safety and operational improvements along Kalanianaole Highway between the Olomana Golf Course and Waimanalo Beach Park. Specific safety and operational improvements include construction of turning lanes, sidewalks, wheelchair ramps, bike paths or bike lanes, traffic signal upgrades, utility relocation, and drainage improvements.	$19.7
9	S	Kamehameha Highway, Safety Improvements, Haleiwa to Kahaluu	Construct safety improvements along Kamehameha Highway, from Haleiwa to Kahaluu. Safety improvements include turn lanes, guardrails, signage, crosswalks, etc. to improve safety. Widening of Kamehameha Highway will only be in areas where needed for storage/turn lanes safety improvements.	$115.9
10	S	Kamehameha Highway, Safety & Operational Improvements, Kaalaea Stream to Hygienic Store	Construct safety and operational improvements along Kamehameha Highway, between Kaalaea Stream and Hygienic Store. Safety and operational improvements include passing and turning lanes, modification of signals, installation of signs, flashers, and other warning devices. This project also includes replacement of Kaalaea Stream Bridge and Halamoa Stream Bridge with structures that meet current design standards.	$18.9
CONGESTION RELIEF PROJECTS - 2006 to 2015				
11	C	Farrington Highway, Widening, Golf Course Road to west of Fort Weaver Road	Widen Farrington Highway from 2 to 4 lanes, from Golf Course Road to just west of Fort Weaver Road.	$36.6
12	C	Fort Barrette Road, Widening, Farrington Highway to Franklin D. Roosevelt Avenue	Widen Fort Barrette Road from 2 to 4 lanes, from Farrington Highway to Franklin D. Roosevelt Avenue.	$24.9
13	C	Hanua Street, Extension, Farrington Highway to Malakole Street; Interstate Route H-1, New On- & Off-Ramps, Palailai Interchange	Hanua Street: • Extend Hanua Street from Malakole Street to Farrington Highway. This new 4-lane roadway will provide access to Kalaeloa Harbor. Interstate Route H-1, Palailai Interchange: • Construct new on- and off-ramps at Interstate Route H-1 Palailai Interchange to Hanua Street extension.	$61.1
14	S	Interstate Route H-1, New Interchange, Kapolei Interchange	Construct new Interstate Route H-1 Kapolei Interchange for Kapolei between the Palailai Interchange and Makakilo Interchange.	$45.5
15	S	Interstate Route H-1, Widening, Middle Street to Vineyard Boulevard	Widen the Interstate Route H-1 by 1 lane, in the eastbound direction, from Middle Street to Vineyard Boulevard, as identified below: • From 2 to 3 lanes from Middle Street to Likelike Highway off-ramp • From 3 to 4 lanes from Likelike Highway off-ramp to Vineyard Boulevard This project also includes the widening of: • Gulick Avenue overpass to allow 5 lanes to pass under it • Kalihi Interchange overcrossings to allow 4 lanes to pass under it	$34.8
16	S	Interstate Route H-1, Operational Improvements, Lunalilo Street to Vineyard Boulevard	Modify the weaving movements on the Interstate Route H-1, in the westbound direction, between the Lunalilo Street on-ramp and the Vineyard Boulevard off-ramp.	$24.3
17	S	Interstate Route H-1, New On- & Off-Ramps, Makakilo Interchange	Construct a new eastbound off-ramp and a new westbound on-ramp to the Interstate Route H-1 at the Makakilo Interchange.	$9.9
18	S	Interstate Route H-1, Widening, Waiau Interchange to Waiawa Interchange	Widen Interstate Route H-1 in the westbound direction by 1 lane from the Waiau Interchange to the Waiawa Interchange.	$137.6

TABLE 1
OAHU REGIONAL TRANSPORTATION PLAN 2030
MID-RANGE PLAN AND LONG-RANGE PLAN PROJECT LIST

Project No.	City or State	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
19	S	Interstate Route H-1, Widening, Waiawa Interchange	Widen the Interstate Route H-1 by 1 lane, in the westbound direction, through the Waiawa Interchange. This project will begin in the vicinity of the Waiawa Interchange and end at the Paiwa Interchange. • From 2 to 3 lanes in AM peak • From 4 to 5 lanes in PM peak	$6.9
20	S	Interstate Route H-1, Zipper Lane (PM), Keehi Interchange to Kunia Interchange	Construct a Zipper lane on the Interstate Route H-1, in the westbound direction, from Keehi Interchange to Kunia Interchange. This project would be in use during the PM peak.	$19.9
21	S	Interstate Route H-1, Widening, Waipahu Off-Ramp	Widen the Interstate Route H-1 Waipahu Street off-ramp from 1 to 2 lanes, in the westbound direction, at the Waiawa Interchange.	$11.7
22	S	Interstate Route H-2, Widening, Waipio Interchange	Widen both on- and off-ramps on Interstate Route H-2, at the Waipio Interchange. This project includes the widening of the Ka Uka Boulevard overpass and intersection improvements to facilitate movement to and from the on- and off-ramps.	$20.7
23	S	Interstate Route H-1, Operational Improvements, Ward Avenue On-Ramp to University Avenue Interchange	Improve traffic flow on the Interstate Route H-1, in the eastbound direction, from the Ward Avenue on-ramp to the University Avenue Interchange through operational improvements.	$13.7
24	S	Interstate Routes H-1 & H-2, Operational Improvements, Waiawa Interchange	Modify the Interstate Routes H-1 and H-2 Waiawa Interchange, to improve merging characteristics through operational improvements (e.g., additional transition lanes).	$45.5
25	S	Kamehameha Highway, Widening, Lanikuhana Avenue to Ka Uka Boulevard	Widen Kamehameha Highway from a 3-lane to a 4-lane divided facility between Lanikuhana Avenue and Ka Uka Boulevard. This project includes shoulders for bicycles and disabled vehicles, bridge crossing replacement, bikeways, etc.	$78.9
26	C	Kapolei Parkway, Extension, Kamokila Boulevard to Papipi Road	Extend the existing 4-lane Kapolei Parkway by constructing the segments in each of the following areas: • Kamokila Boulevard to Fort Barrette Road • Ewa Village boundary to Renton Road • Geiger Road to Papipi Road	$78.9
27	C	Kapolei Parkway, Extension & Widening, Alinui Drive to Kalaeloa Boulevard	Extend the existing 4-lane Kapolei Parkway, from Alinui Drive to Hanua Street. This project includes widening of Kapolei Parkway from 4 to 6 lanes from Hanua Street to Kalaeloa Boulevard.	$40.9
28	S	North-South Road, Widening & Extension, Interstate Route H-1 to Franklin D Roosevelt Avenue	Widen and extend North-South Road as follows: • From 3 to 6 lanes from Kapolei Parkway to Interstate Route H-1 • Extend from Kapolei Parkway to Franklin D Roosevelt Avenue (6 lanes)	$35.3
SECOND ACCESS PROJECTS - 2006 to 2015				
29	C	Makakilo Drive, Second Access, Makakilo Drive to North-South Road/Interstate Route H-1 Interchange	Extend Makakilo Drive (vicinity Puuenani Street) south to the Interstate Route H-1 Freeway Interchange as 4-lane roadway, connecting Makakilo Drive to North-South Road.	$32.8
TRANSIT PROJECTS - 2006 to 2015				
30	C	Ferry, Intra-Island Express Commuter, in the vicinity of Ocean Pointe Marina to Honolulu Harbor	Implement intra-island passenger ferry in the vicinity of the Ocean Pointe Marina in Ewa and Honolulu Harbor.	$23.2
31	C	Rail Transit, Kapolei to Manoa/Waikiki	Plan, design, and construct a fixed rail transit system between Kapolei and Manoa/Waikiki. This project includes modifications to TheBus system to provide feeder services to rail stations and eliminate parallel express services. Note that the alignment, system technology, and location of transit stations will be determined pending the completion of the Alternative Analysis Draft Environmental Impact Statement (AA/DEIS).	$2,570.0
32	C	TheBus Service, Expansion, Islandwide	Expand the bus service through increase of capacity of the existing system to accommodate population growth. Expanded service will be ADA-compliant. This includes: • Expansion to and within Ewa, Kapolei, and Central Oahu • Implementation of the Hub and Spoke bus system with transit centers and circulator routes • Expansion through increase of Express service to the North Shore, Waianae, and Windward Oahu	$49.6 of $151.2 total in 1st 10 years
33	C	Transit Centers, Various Locations	Construct transit centers at various locations islandwide to support the Rail Transit and TheBus systems.	$30.7 in 1st 10 years
OPERATIONS, MAINTENANCE & SYSTEM PRESERVATION - 2006 TO 2015				
34	C	City Operations and Maintenance (O&M)	Maintain and operate the City's existing and future roadway, transit and paratransit operations and routine maintenance. Includes, but is not limited to, operation of the transit system (including bus, paratransit, rail, and ferry), replacement of existing fleet, resurfacing, guardrail and shoulder improvements, lighting improvements, drainage improvements, sign upgrades and replacement, etc.	$1,990.8 in 1st 10 years ($1,624 transit O&M, $139 bus fleet replacement, $228 roadway O&M)

TABLE 1
OAHU REGIONAL TRANSPORTATION PLAN 2030
MID-RANGE PLAN AND LONG-RANGE PLAN PROJECT LIST

Project No.	City or State	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
35	S	State Operations and Maintenance	Maintain and operate the State's existing and future highway operations and routine maintenance. Includes, but is not limited to, pavement repair, guardrail and shoulder improvements, lighting improvements, drainage improvements, sign upgrades and replacement, traffic signal upgrade and retrofit, etc.	$340.0 in 1st 10 years
36	S	System Preservation	Preserve the highway system through projects including, but not limited to, bridge replacement and seismic retrofit, pavement preventative maintenance, resurfacing and rehabilitation, etc.	$625.0 in 1st 10 years
COST SUBTOTALS: MID-RANGE PLAN (2006 TO 2015)				
Subtotals by Category				
Subtotal: Islandwide Projects				$236.0
Subtotal: Safety & Operational Improvement Projects				$154.5
Subtotal: Congestion Relief Projects				$733.0
Subtotal: Second Access Projects				$32.8
Subtotal: Transit Projects				$2,673.5
Subtotal: Operations, Maintenance, & System Preservation				$2,955.8
Total: All Categories				$6,785.5
Subtotals by Jurisdiction				
City & County of Honolulu Share of Project Costs *				$5,050.8
State of Hawaii Share of Project Costs *				$1,734.7
Total: All Shares				$6,785.5

Project No.	City or State	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
			LONG-RANGE PLAN (2016 TO 2030)	
ISLANDWIDE PROJECTS - 2016 to 2030				
2	C/S *	Bike Plan Hawaii - Oahu	See description in Mid-Range Plan	$61.0 in 2nd 15 years
3	C/S *	Enhancement Projects	See description in Mid-Range Plan	$30.0 in 2nd 15 years
4	C/S *	Intelligent Transportation Systems	See description in Mid-Range Plan	$90.0 in 2nd 15 years
6	C/S *	Transportation Demand Management Program	See description in Mid-Range Plan	$90.0 in 2nd 15 years
SAFETY & OPERATIONAL IMPROVEMENT PROJECTS - 2016 to 2030				
37	S	Farrington Highway, Safety Improvements, Makua Valley Road to Alinui Drive	Construct safety improvements on Farrington Highway along the Waianae Coast, from Makua Valley Road (Kaena Point) to Alinui Drive (Kahe Point). This project includes realignment around Makaha Beach Park between Makau Street and Water Street.	$69.7
CONGESTION RELIEF PROJECTS - 2016 to 2030				
38	S	Farrington Highway, Widening, west of Fort Weaver Road to Waiawa Interchange	Widen Farrington Highway from Kunia to Waiawa by 1 lane in each direction, from west of Fort Weaver Road to Waiawa Interchange.	$67.1
39	S	Farrington Highway, Widening, Hakimo Road to Kalaeloa Boulevard	Widen Farrington Highway from 4 to 6 lanes, from Hakimo Road to Kalaeloa Boulevard, including intersection of Lualualei Naval Road.	$106.4
40	S	Interstate Route H-1, Widening, Liliha Street to Pali Highway	Widen the Interstate Route H-1 by 1 lane, from 3 to 4 lanes in the eastbound direction, from the Liliha Street on-ramp to Pali Highway off-ramp.	$3.4
41	S	Interstate Route H-1, On- & Off-Ramp Modifications, Various Locations	Modify and/or close various on- and off- ramps on the Interstate Route H-1 from Middle Street to University Avenue. This project includes modification of auxiliary lanes at various exits and other operational changes to Interstate Route H-1. The identification of the precise improvements to be made will require a separate detailed corridor study.	$60.0
42	S	Interstate Route H-1, On- & Off-Ramp Modifications, University Avenue Interchange	Modify on- and off-ramps at the University Avenue Interchange on Interstate Route H-1. This project includes the construction of new ramps to allow all movements, safety improvements, including the closure of the eastbound on-ramp at University Avenue Interchange to Interstate Route H-1 and the construction of a new makai-bound off-ramp to University Avenue from Interstate Route H-1.	$24.0
43	S	Interstate Route H-1, Widening, Vineyard Boulevard to Middle Street	Widen the Interstate Route H-1 by 1 lane in the westbound direction, from Vineyard Boulevard to Middle Street.	$60.0
44	S	Interstate Route H-1, HOV Lanes, Waiawa Interchange to Makakilo Interchange	Construct 2 new lanes in the freeway median for HOV use, 1 in the westbound direction and 1 in the eastbound direction, on Interstate Route H-1, from the Waiawa Interchange to the Makakilo Interchange.	$52.5
45	S	Interstate Route H-1, Widening, Waiawa Interchange to Halawa Interchange	Widen the Interstate Route H-1 by 1 lane in the eastbound direction, from the Waiawa Interchange to the Halawa Interchange.	$251.3
46	S	Interstate Route H-1, Widening, Ward Avenue to Punahou Street	Widen the existing Interstate Route H-1 by 1 lane in the eastbound direction, from Ward Avenue to Punahou Street.	$24.2

TABLE 1
OAHU REGIONAL TRANSPORTATION PLAN 2030
MID-RANGE PLAN AND LONG-RANGE PLAN PROJECT LIST

Project No.	City or State	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
47	S	Interstate Route H-2, New Interchange, Pineapple Road Overpass	Construct a new full-service freeway interchange on Interstate Route H-2, between Meheula Parkway and Ka Uka Boulevard, to accommodate future developments in Central Oahu. This project includes the widening of the existing Pineapple Road Overpass from 2 lanes to 4 lanes; and addition of new on- and off-ramps to and from Interstate Route H-2 at Pineapple Road Overpass.	$50.0
48	S	Kahekili Highway, Widening, Kamehameha Highway to Haiku Road	Widen Kahekili Highway from 2 to 4 lanes, from Kamehameha Highway to Haiku Road. This project also includes the following improvements: • Contraflow in existing right-of-way between Hui Iwa Street and Haiku Road • Intersection improvements at Hui Iwa Street and Kamehameha Highway	$30.0
49	S	Kunia Road, Widening and Interchange Improvement, Wilikina Drive to Farrington Highway	Widen Kunia Road as follows: • From 2 to 4 lanes, from Wilikina Drive to Anonui Street. • From 2 to 4 lanes, Anonui Street to Kupuna loop. • From 4 to 6 lanes, Kupuna Loop to Farrington Highway. • Add 1 lane eastbound loop on-ramp at Kunia Road & Interstate Route H-1.	$116.3
50	S	Likelike Highway, Widening, Kamehameha Highway to Kahekili Highway	Widen Likelike Highway from 4 to 6 lanes, from Kamehameha Highway to Kahekili Highway.	$14.6
51	C	Makakilo Mauka Frontage Road, New Roadway, Kalaeloa Boulevard to Makakilo Drive	Construct a new 2-lane Makakilo Mauka Frontage Road, mauka of Interstate Route H-1, from Kalaeloa Boulevard to Makakilo Drive.	$11.1
52	S	Nimitz Highway, High Occupancy Vehicle (HOV) Flyover, Keehi Interchange to Pacific Street	Construct a new 2-lane elevated and reversible HOV flyover above Nimitz Highway, from the Keehi Interchange to Pacific Street. This project includes the removal of the existing eastbound contraflow lane in the AM peak and restoration of all turning movements on the at-grade portion of Nimitz highway.	$250.0
53	C	Piikoi-Pensacola Couplet Reversal	Reverse the direction of the existing one-way Piikoi Street and Pensacola Street couplet.	$4.2
54	C	Puuloa Road, Widening, Pukuloa Road to Nimitz Highway	Widen Puuloa Road, from Pukuloa Road to Nimitz Highway: • From 3 lanes (1 lane southbound and 2 lane northbound) to 5 lanes (2 lanes southbound and 3 lanes northbound), from Pukuloa Road to Kamehameha Highway.	$10.0
SECOND ACCESS PROJECTS - 2016 to 2030				
55	C	Central Mauka Road, Second Access, Mililani Mauka to Waiawa	Construct Central Mauka Road, a new 4-lane road from Mililani Mauka to Waiawa. Road connects Meheula Parkway to Kamehameha Highway in Pearl City; parallel to & mauka of Interstate Route H-2. The new 4-lane north-south road includes connections to Interstate Route H-2 interchanges.	$166.0
56	C	Wahiawa, Second Access, Whitmore Avenue to Meheula Parkway	Construct a new 2-lane second access road between Whitmore Village and Wahiawa, from Whitmore Avenue to California Avenue. Continue the new 2-lane second access road to Mililani Mauka, from California Avenue to Meheula Parkway.	$64.4
57	S	Waianae, Second Access, Farrington Highway to Kunia Road	Construct a new 2-lane second access road to Waianae from Farrington Highway in the vicinity of Maili, over the Waianae Mountain Range, to Kunia Road.	$423.0
TRANSIT PROJECTS - 2016 to 2030				
32	C	TheBus Service, Expansion, Islandwide	See description in Mid-Range Plan	$101.6 in 2nd 15 years
33	C	Transit Centers, Various Locations	See description in Mid-Range Plan	$9.0 in 2nd 15 years
OPERATIONS, MAINTENANCE & SYSTEM PRESERVATION - 2016 TO 2030				
34	C	City Operations and Maintenance (O&M)	See description in Mid-Range Plan	$3,630.1 in 2nd 15 years ($3,051 transit O&M, $275 bus fleet replacement, $304 roadway O&M)
35	S	State Operations and Maintenance	See description in Mid-Range Plan	$510 in 2nd 15 years
36	S	System Preservation	See description in Mid-Range Plan	$375 in 2nd 15 years
COST SUBTOTALS: LONG-RANGE PLAN (2016 TO 2030)				
Subtotals by Category				
Subtotal: Islandwide Projects				$271.0
Subtotal: Safety & Operational Improvement Projects				$69.7
Subtotal: Congestion Relief Projects				$1,137.2
Subtotal: Second Access Projects				$547.4
Subtotal: Transit Projects				$110.6
Subtotal: Operations, Maintenance, & System Preservation				$4,515.1
Total: All Project Categories				$6,751.0
Subtotals by Jurisdiction				
City & County of Honolulu Share of Project Costs *				$4,125.9
State of Hawaii Share of Project Costs *				$2,625.1
Total: All Shares				$6,751.0

TABLE 1
OAHU REGIONAL TRANSPORTATION PLAN 2030
MID-RANGE PLAN AND LONG-RANGE PLAN PROJECT LIST

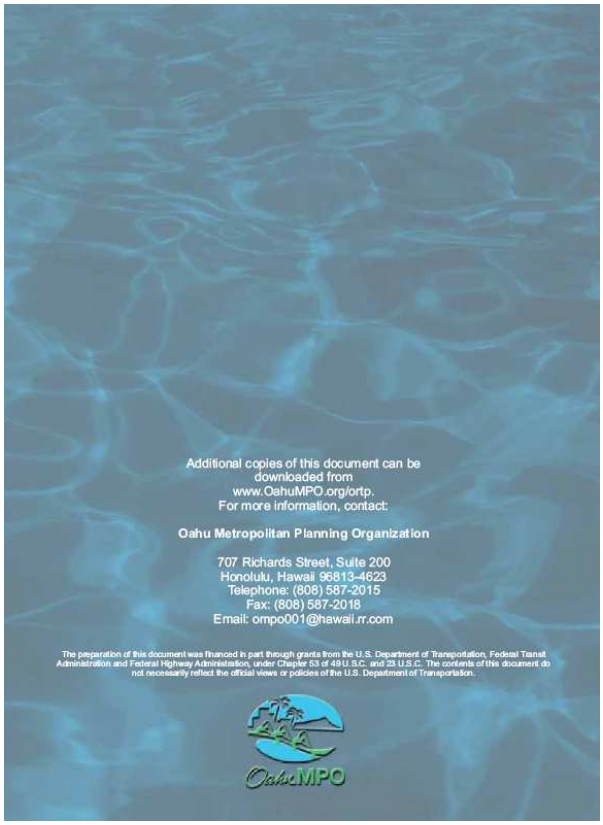
Project No.	City or State	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
		RIGHT-OF-WAY PRESERVATION		
CONGESTION RELIEF PROJECTS - ROW PRESERVATION				
58	C	Kalaeloa East-West Spine Road, New Roadway, Kalaeloa Boulevard to Geiger Road	Establish and preserve right-of-way (ROW) for Kalaeloa East-West Spine Road (new 4-lane east-west spine road within Kalaeloa by realigning and connecting portions of the existing Saratoga Avenue from Kalaeloa Boulevard in the west and to Geiger Road in the east).	n/a
59	C	Keoneula Boulevard, Extension, Kapolei Parkway to Franklin D. Roosevelt Avenue	Establish and preserve right-of-way (ROW) for Keoneula Boulevard Extension (extension of Keoneula Boulevard from Kapolei Parkway to Franklin D. Roosevelt Avenue).	n/a
		ORTP 2030 COST TOTALS: 2006-2030		
Subtotals by Category				
Subtotal: Islandwide Projects				$567.0
Subtotal: Safety & Operational Improvement Projects				$224.2
Subtotal: Congestion Relief Projects				$1,870.8
Subtotal: Second Access Projects				$880.2
Subtotal: Transit Projects				$2,764.1
Subtotal: Corridors, Maintenance, & System Preservation				$7,470.9
Total: All Project Categories				$13,536.5
Subtotals by Jurisdiction				
City & County of Honolulu Share of Project Costs *				$9,176.7
State of Hawaii Share of Project Costs *				$4,359.8
Total: All Shares				$13,536.5

Notes:
* Costs for projects shared by City and State (C/S) allocated equally between the two jurisdictions. The designation is done for so for reasons of financially balancing the projected revenues with the order of magnitude cost estimates.

TABLE 2
ORTP 2030 ILLUSTRATIVE PROJECTS

Project No.	Facility/Project Title	Project Description	Estimated Cost (Millions of Year 2005 $)
CONGESTION RELIEF PROJECTS			
I-1	H-1 Corridor, Reversible Highway, Waiawa Interchange to Kaahi Interchange	Construct a new, elevated, reversible two-lane highway from west of the Waiawa interchange to the Kaahi interchange. The new facility could be used for high occupancy vehicles, and a toll could be charged.	$2,500
I-2	Kalaeloa East-West Spine Road, New Roadway, Kalaeloa Boulevard to Geiger Road	Construct a new 4-lane east-west spine road within Kalaeloa by realigning and connecting portions of the existing Saratoga Avenue from Kalaeloa Boulevard in the west and to Geiger Road in the east.	$110
I-3	Keoneula Boulevard, Extension, Kapolei Parkway to Franklin D. Roosevelt Avenue	Extend Keoneula Boulevard from Kapolei Parkway to Franklin D. Roosevelt Avenue.	$85
I-4	Palena Street, Extension, Ka Uka Boulevard to Lumiauau Street	Extend Palena Street from north of Lumiauau Street, to the intersection of Kamehameha Highway and Ka Uka Boulevard.	$15
I-5	Pearl Harbor Corridor	Construct an alternative route through the Pearl Harbor corridor to provide direct connection between Honolulu and the Ewa Plain. A new tunnel beneath the mouth of Pearl Harbor and a series of bridges spanning Pearl Harbor are potential options for this route. This project could operate as a toll facility.	$7,000
Total (with Pearl Harbor Corridor as Tunnel)			$9,710

19



Representative Cabanilla also submitted the following article from the *Small Business News*:

The Case Against a Honolulu Rail and Against More Taxes on Oahu Residents
By HonoluluTraffic.com

Congestion: The city forecasts that while we are already 15 percent over capacity on H-1 during the rush hour, we will be 81 percent over capacity in 2030 - with rail.

Planners have had no intention of reducing traffic congestion and never did. They have been conducting a war against the automobile, which is why traffic congestion is so bad now.

Cost: The city forecasts (AA, table 5-1) that to build their preferred 28-mile full alignment from Kapolei to UH, it will cost $4.6 billion. We have calculated that it will actually cost $6.4 billion - and possibly more. In addition the operating losses will be another $90 million a year.

More Taxes: The mayor originally forecast that it would cost $2.6 billion to build rail and said he needed a one percent hike in the General Excise tax but the Legislature only authorized a half percent. Now his forecast has nearly doubled to $4.6 billion (our is even higher). We calculate it will take a 40 percent hike in property taxes to build the full alignment.

Environment /Blight: Imagine this elevated rail line snaking through town. It will go along Dillingham cross over to Nimitz, along Nimitz to Halekauwila, up Ward Avenue, along Kona Street, onto Kapiolani Boulevard to University, up University and over H-1 to UH. All the while at 75-77 decibels.

The Case for HOT lanes and a Tax-Free Alternative
Congestion: We propose a two-lane reversible, elevated highway operated as a High-Occupancy/Toll facility (HOT lanes). Buses/Rapid Transit (BRT) and Vanpools would go free and have priority; all other would pay a toll variable by time of day. The function of the variable toll is to keep the HOT lanes traffic full, but congestion free. When operated this way the throughput of vehicle traffic on one of the HOT lanes will be twice as much per hour as a nearby regular H-1 lane. It means that the two HOT lanes will carry as much as four lanes of the regular H-1 freeway.

Cost: The city forecasts a cost for the HOT lanes of $2.7 billion (AA, table 5-1). However, the almost identical facility in Tampa was built for $420 million. No engineer we work with has come up with a number greater than $1 billion - and some much less. We are using $900 million as our estimate.

No more taxes: The federal government will fund half of the cost, or $450 million. The other half will be funded by revenue bonds to be paid off by toll revenues.

Environment /Blight: The elevated toll lanes will run along Kam Highway then along H-1 by the airport, then along Nimitz to finish by Hilo Hattie's. Several entrance/exits will provide access along the way. Unlike the rail alternative, the elevated tollway will not go through town or any residential neighborhoods and be a visual and noise blight.

For more information, log onto http://www.honolulutraffic.com
Small Business News
March 2007

Representative Awana rose in support of the measure and asked that her written remarks, and the remarks of Representative Har entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support with reservations. Mr. Speaker, I have some major concerns. The existing traffic situation from the Leeward side is already unbearable. Residents from the Waianae Coast spend at least two hours each day commuting to and from work or school. If a toll road is built, the inconvenience from the construction alone will increase an already long commute – hence, decreasing the amount of time those families will be able to spend with each other.

"To add insult to injury, most families will not be able to use the toll road. In most cases, commuters from the Leeward side of the island travel farther which equates to higher fuel costs. The inconvenience of building this toll road should not be at the cost of families who are already struggling to keep their heads above water. Thank you, Mr. Speaker."

Representative Manahan rose in support of the measure with reservations, and asked that the remarks of Representative Yamane be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Berg rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I have reservations and ask that the words of the Representative from Kapolei be entered as my own."

Representative Ching rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I have reservations, but am in support of H.B. 70 – Relating to Transportation.

"This bill proposes to allow the Department of Transportation to negotiate public-private partnership agreements that would enable a private company to finance the development, design, construction, operation, or maintenance of transportation systems and facilities.

"While I support the need to address the growing concern for a more efficient transportation system, I have reservations.

"I am concerned with the implications of imposing user fees, tolls, fares and similar charges on existing or upgraded facilities. In so doing, we may face increased traffic on our smaller, less safe streets increasing congestion and traffic dangers there."

Representative Tokioka rose in support of the measure with reservations, and asked that the remarks of Representative Yamane be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 70, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Brower, Chang, Rhoads and Tokioka voting no, and with Representatives Sagum, Takai and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1201) recommending that H.B. No. 1792, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1792, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"Thank you, Mr. Speaker. I am in opposition to H.B. 1792, H.D. 2 – Relating to Drug Abuse. This bill appropriates funds to: (1) review pilot studies being conducted in other states on use of the PROMETA treatment protocol to address the withdrawal cravings of crystal methamphetamine addicts; and (2) develop a plan to adopt the PROMETA treatment protocol as an alternative drug abuse treatment program for persons convicted of substance abuse or related offenses.

"First, as a matter of fiscal responsibility, I think it is inappropriate that we commit State monies to the benefit of a single commercial venture, Hythiam Inc., which licenses the rights to use the PROMETA protocols, and their one licensee that currently operates in this State.

"Second, I am opposed to this bill because of safety and health concerns raised by the Department of Health, the Hawaii Psychiatric Medical Association, and the Hawaii Society of Addiction Medicine. Although the PROMETA medications are FDA-approved, the PROMETA treatment protocol, which consists of nutritional supplements, oral and IV medications used off-label and separately administered, and other psychosocial or recovery-oriented therapy, has not undergone peer-reviewed clinical studies. Clinical studies involving our very own University of Hawaii John A. Burns School of Medicine and the University of California, Los Angeles are set to begin in April 2007.

"I believe it is premature for the Legislature to commit State monies to a drug treatment protocol that has not been fully tested and for which the risks and benefits have not been established. Until there are more careful studies of the PROMETA treatment protocol, it would be more prudent for the Legislature to invest the taxpayers' monies in community-based treatment and prevention programs."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with wavering support and I would like to submit remarks in the Journal," and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I have reservations on House Bill 1792 HD2.

"The Department of Health stated that when they asked the PROMETA Representatives to disclose what type of drugs were used for treatment and the dose amount of each drug in the "PROMETA cocktail", the Representatives for PROMETA refused to release that information to the Department of Health. If we want DOH to provide an accurate study, it seems like they should be able to receive all the information they request. If the PROMETA representatives are going to hamper the study by not providing all the necessary information, then the study may be flawed and inaccurate.

"Although the medications administered under PROMETA are FDA-approved, their combination application in treatment of alcohol, cocaine, and methamphetamine dependence have not yet been established.

"I have strong reservations to use public funding to administer a study limited to one treatment protocol when the meth problem in Hawaii is such a large problem."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, on behalf of my constituents, I am in strong support of HB1792 HD2. The problems of drug abuse, related crime and family violence in our communities are too well known. Every day brings a headline with a tragic event tied to drug abuse, among the most disturbing, violence upon children.

"For a long time, we've been searching for good news in this battle against drugs. Now there's news that Prometa is the answer we've been seeking. HB 1792, HD 2 asks us only to look at the results and do what's logical. This treatment is getting unheard-of results in trials and pilot programs in the very Drug Court settings under discussion. In Indiana and Washington State, the results were so good, they were hard to believe. They were hoping that Prometa would increase their results from 50% success to 70%. When they increased it to 90%, they were stunned and elated, and have dedicated themselves to getting the word out about Prometa. Let's embrace the hope that this news brings. Let's be cautious, let's be judicious, but let's also be undaunted in our pursuit of a better path for our citizens in trouble.

"In medicine, it's "First, Do No Harm." The drugs in Prometa are safe. I know this because I have administered them myself on more than one occasion. In my opinion, the medication in a new way does not create any new safety issues. The use of these drugs has a long and well-established track record, with no contra-indications with their sequential administration, minimal side effects, and no reported adverse effects with Prometa. If a one-year-old pediatric surgery patient were to have an adverse reaction to anesthesia during surgery, they will most likely treat them with the primary medication in Prometa, the core of the protocol. If it's safe enough for our *keiki*, then perhaps it's safe enough for the drug addicts in our communities.

"The anti-revolutionary forces are at work against this new treatment. Why is this? Is it to protect us? Or is it to protect their own perceived interests? The CEO from Kahi Mohala testified at the Health Committee hearing that "they're in" as the newest Prometa licensee. Privately he said that it was a "no brainer," minimal risk with huge upside potential. Blue Cross and Blue Shield entities across the country are conducting pilots with Prometa. When have we ever heard of Managed Care coming early to look at innovative treatments? Rarely. But they are with this one. Why? Because the very Parity Laws we passed in this legislature have brought home the economic impact of substance abuse treatment and encouraged them to seek a better way. If they're looking at Prometa for their thousands of insured lives, shouldn't we be just as motivated to look at it for our under-insured and under-served citizens where the problem is worse? My colleagues, may I suggest we should be more motivated.

"Eventually the entire treatment community will embrace this new treatment. In the meantime, let us show them a better way. And let us do what our constituents have elected us to do. Let's carefully consider the outcomes of this new most promising treatment. And let's give ourselves a chance to lead our constituents out of this valley of darkness."

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 1792 House Draft 2. This bill is worth the chance to help the people of Hawaii. We must do something to stop Hawaii's meth problem. In 2006, there were 52 meth-related fatalities. In 2005, there were 87 meth-related fatalities.

"The results that have been reported from reputable treatment centers around the country from trials with the PROMETA treatment regime have been very impressive. The Pierce County Alliance Drug Court in Tacoma, Washington has experienced remarkable success with their pilot program. They have a 98% success rate in drug screening test. Only 25 out of 1,180 drug screens came back positive for illegal narcotics at the 3-month, 6-month, and 10-month marks of the program using PROMETA.

For those reasons, and the promise this bill provides, I stand in support of House Bill 1792, House Draft 2."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support. According to the United States Drug Enforcement Agency, methamphetamine is the drug of choice in Hawaii. The widespread use of crystal methamphetamine in Hawaii has had a devastating impact on our economy and family structure. In addition, the drug's presence has increased street violence and property crimes.

"Studies have reflected a high recidivism rate for crystal meth addicts. Testimony stated that the recidivism rate of those who were treated with PROMETA is relatively low. I believe the review of PROMETA will provide drug abusers the overdue help that is needed to combat this addiction. Thank you, Mr. Speaker."

Representative Manahan rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"The problem is not the lack of effective treatments, but supporting the programs we already have, as well as augmenting these with intensive therapy. This measure further thins the monies devoted to drug programs already in progress. The money would be better spent on programs that alleviate the social concerns, situations, and opportunities that cause people to use.

"Any rehabilitation professional will tell you that in any treatment paradigm the most important component of the treatment is the compliance and will of the client. We don't need a review of pilot studies. The studies will publish their findings if the treatment is effective, it will be evident. Departments can decide whether the protocol should be established without being bullied by the Legislature.

"There is no "magic bullet" cure for Crystal Methamphetamine use. If there was we wouldn't have an 'ice' problem. PROMETA touts itself as a cure, but if it cannot prove itself more effective than other pilots with similar funding and treatment intensity, it is just another special interest bill."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. This bill requires DOH and the Chairs of the Health Committees in the Senate and House to conduct a review of the pilot studies being conducted in other states on the use of the PROMETA treatment protocol to address the withdrawal cravings of crystal methamphetamine addicts and to determine whether the PROMETA treatment protocol is successful in that it provides at least 30% reduction in recidivism rates for crystal methamphetamine users in the 12 months following treatment.

"Over the years I learned a lot about "ice". This addiction is a vicious and deadly one. In some cases, a simple misjudgment of trying this substance once can trigger the brain into an instant state of addiction. This PROMETA protocol is a tool that can help the body

adjust the brain's decision to quit using ice. The controversy is mainly about the PROMETA protocol not being FDA approved although all of the medications are individually FDA approved.

"This devastating drug and its hold on individuals has ruined lives, families, and communities. This bill asks for the review of other states trials. There are no silver bullets; however I see this as a possible way to get ice addicts back into living productive lives. The studies done show good results. I believe it is in the state's best interest to give it a try."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Green rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure, stating:

"I am in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1792, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Belatti, Berg and Hanohano voting no, and with Representatives Sagum, Takai and Thielen being excused.

At 7:34 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 88, HD 2	H.B. No. 16, HD 1
H.B. No. 661, HD 1	H.B. No. 70, HD 3
H.B. No. 1848, HD 2	H.B. No. 1792, HD 2

At 7:34 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:47 o'clock p.m. with Speaker Say.

THIRD READING

H.B. No. 1919, HD 1:

Representative Caldwell moved that H.B. No. 1919, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm in support of House Bill 1919 with some reservations.

"Portland, Oregon, developed many condominium and townhouse developments using smart growth principles. These principles tend to dictate social behavior to the inhabitants of geographically areas.

"An example of this would be creating walkable neighborhoods, which translates to keeping the garages out of sight and local roads sparse and situated a good distance away from the house, forcing people to do more walking than they care to.

"These smart growth principles steer people to public transit and imply that public transit is preferable to using private automobiles. Some will agree with this, but many will not. I don't think that smart growth principles should be part of the Land Use Commission law."

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker I would like to note my support of this important measure. This bill would seek to put into law some long overdue statutory guidelines for the State Land Use Commission or LUC so that when they are reviewing projects they would have to apply what is known as 'Smart Growth' principles to the project and most importantly, force the LUC to look at whether or not the proper infrastructure is in place or will come on line before the project is built out as a condition to LUC giving the proper land use changes for a project to proceed.

"Right now I can honestly say that the LUC has, at least as far as Maui is concerned, never met a development project they didn't like. The reality is that the LUC is made up of those who either support or are active players in the pro-development community and they have abused the fact that there are no statutory rules in place to actually thumb their noses at the community and rule as they wish. This isn't just assumptions or politics as I have witnessed this myself.

"A few years ago a major project was proposed for West Maui and the LUC came to Lahaina for the hearing. Testifier after testifier came before the Commission and urged the Commission to add conditions so that infrastructure would be required of the project. The end result after all that testimony is that the LUC members came out and approved the land use changes with no conditions. If the LUC doesn't have the spine to do what's right for our communities, then it is up to this body to ensure that this powerful Commission with no oversight or accountability to the people be forced to ensure that the principals of smart growth – of infrastructure first, of preserving open space and ensuring that quality of life is first and foremost when these monumental decisions are made."

The motion was put to vote by the Chair and carried, and H.B. No. 1919, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Takai and Thielen being excused.

H.B. No. 516, HD 1:

Representative Caldwell moved that H.B. No. 516, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support efforts to protect our community from sexual offenders. However, HB No. 516, H.D. 1 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the Judicial Branch and Executive Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important

that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch understand the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and H.B. No. 516, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Nakasone, Takai and Thielen being excused.

H.B. No. 303, HD 1:

Representative Caldwell moved that H.B. No. 303, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the deterrence of mail theft. However, I vote yes, with reservations, because HB No. 303, H.D. 1, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the state's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and H.B. No. 303, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Nakasone, Takai and Thielen being excused.

H.B. No. 1132, HD 1:

Representative Caldwell moved that H.B. No. 1132, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Thank you, Mr. Speaker. In regards to Election Day poll watchers, the only thing that I would like to just give short comments in opposition, because what I'd like to see is just making it, right now, make it more difficult for poll watchers with that earlier date. So I think we should just do things to encourage them more."

The motion was put to vote by the Chair and carried, and H.B. No. 1132, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY POLL WATCHERS," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Nakasone, Takai and Thielen being excused.

H.B. No. 583, HD 1:

Representative Caldwell moved that H.B. No. 583, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the intent to extend the statute of limitations. However, HB No. 583 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and H.B. No. 583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Nakasone, Takai and Thielen being excused.

At 7:51 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1919, HD 1
H.B. No. 516, HD 1
H.B. No. 303, HD 1
H.B. No. 1132, HD 1
H.B. No. 583, HD 1

H.B. No. 1149, HD 1:

Representative Caldwell moved that H.B. No. 1149, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the protection of children from exposure to drugs. However, I vote yes, with reservations, because HB No. 1149, H.D. 1, does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and H.B. No. 1149, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Bertram voting no, and Representatives Takai and Thielen being excused.

H.B. No. 1836, HD 1:

Representative Caldwell moved that H.B. No. 1836, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support of House Bill 1836 – Relating to Gambling. Mr. Speaker, the Legislature has fought gambling for the last ten years.

"Companies have found a loophole in our current laws banning gambling and have placed vending machines all over the Honolulu in which they have circumvented the gambling laws here by using the guise of long distance cards. In these vending machines they sell sweepstakes cards, usually for a dollar, very similarly to how lottery tickets are sold. When you purchase this card you are given two minutes of long distance phone time.

"It is very clear that the long distance call time is only offered to get around Hawaii's anti-gambling laws, as two minutes of long distance time to the US mainland does not run anywhere near a dollar and in today's market long distance can be free on your cell phone, cost a few cents with a calling card, or you can get unlimited long distance for a nominal charge. The sole purpose of purchasing these cards is to have a chance at winning the sweepstakes, usually a cash prize worth hundreds of times more than the cost of a single game piece itself.

"HPD has found that many people buy these calling cards in large quantities, often disposing of the card without ever using the long distance time available on the card. HPD has also found that a lot of these cards do not work, even when activated.

"This bill defines in very clear terms the properties of sweepstakes machines that are currently in place in Honolulu locations. This bill makes it known that gambling includes the purchase of a sweepstakes entry that also provides a nominal, non gambling value even if the sweepstakes entry can be obtained without payment of consideration. By passing this legislation it will make it possible to ban these machines and avoid any possible escalation of further gambling of this nature in our State.

"Thank you, Mr. Speaker."

Representative McKelvey rose to speak in opposition to the measure, stating:

"In opposition and just real quickly, a brief comment. This is just a little overboard."

The motion was put to vote by the Chair and carried, and H.B. No. 1836, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Carroll and McKelvey voting no, and Representatives Takai and Thielen being excused.

H.B. No. 909, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFLICTS OF INTEREST," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 1786, HD 1:

Representative Caldwell moved that H.B. No. 1786, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 1786 House Draft 1, Relating to the Bridge to Hope Program.

"The Bridge to Hope program represents a positive step in providing assistance to low-income adults who wish to pursue post-secondary education. Through collaboration between the Department of Human Services and the University system, Bridge to Hope provides three major benefits to low-income adults.

"First, this program not only satisfies TANF work requirements, but also combines work with learning, by providing students with assistantships linked to their area of study.

"Second, combining work with education gives students with children more time for family obligations.

"Third, this program allows the Hawaii Department of Human Services and the University of Hawaii System to better understand each other's services, operations, rules, and constraints. This increased understanding will likely result in better coordination and more effective efforts to combat poverty in Hawaii.

"This bill provides a stable program of student service through Bridge to Hope for a marginal yet growing population of low-income student parents. Nationally, nearly 17% of college students are parents and UH reflects this national trend towards older, employed "non-traditional" students.

"For these and other reasons, I am in support of HB 1786 House Draft 1."

The motion was put to vote by the Chair and carried, and H.B. No. 1786, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 330, HD 1:

Representative Caldwell moved that H.B. No. 330, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in opposition to the measure, stating:

"Thank you, in opposition. I rise in opposition to House Bill 330, HD 1, Relating to Prostitution. I do not support imposing harsher penalties on one class of our community who are prostituted. I challenge this body to take bold action and adopt a new policy framework toward this issue and not support this bill.

"Prostitution, which encompasses the trafficking of human beings for sexual purposes, will never be eliminated unless our community takes a vigorous stand and puts in place concrete measures to stop the recruitment, transport, sale or purchase of human beings by traffickers, pimps, members of organized crime groups and prostitution buyers.

"In lieu of this bill, I believe we should adopt policies to further work toward prevention and suppression of prostitution by embracing measures to counteract the demand that furthers all forms of sexual exploitation of human beings and more important, embrace measures that protect and assist those who are vulnerable to being exploited. For example, on a structural level, we need a campaign impacting political, social and economic conditions to reduce poverty and sustain development.

"My hope is that this body will embrace a new policy where prostituted women and children are seen as victims of violence and oppression. One of the cornerstones should be a focus on the root cause. The recognition that without demand for and use of women, boys and girls for sexual exploitation, the global prostitution industry would not be able to flourish and expand. My hope is that this body understands the vulnerability of a class of human beings who are prostituted and address issues of poverty, unemployment,

discriminatory labor practices, gender inequalities and of violence against women and children.

"My hope is our community will assist those who want to escape prostitution. This new policy could be called universal protection of human dignity. Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I wish to speak against this measure and I would like to incorporate the remarks from the Representative from Waikaloa for the good speech that she's made. Thank you very much," and the Chair "so ordered." (By reference only.)

Representative Bertram rose in opposition to the measure and asked that the remarks of Representative Evans be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Berg rose in support of the measure with reservations, and asked that the remarks of Representative Evans be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In strong reservations and also would like to adopt the words of the speaker from Waimea as my own," and the Chair "so ordered." (By reference only.)

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. First of all, the bill applies both to customers and prostitutes, and in that sense it's not aimed at prostitutes in particular. It's aimed at everyone who's involved in the trade.

"Currently, the situation is there's the sense that somehow we've already tried criminalizing prostitution and the fact is, in my neighborhood at least, for all intents and purposes, prostitution's not criminalized. It's already been decriminalized. And my neighborhood is the neighborhood that's been chosen as the one where prostitution is allowed without any restraint. The Prosecutor's Office told me that judges fairly routinely won't even let 'John' defendants state their name in court before they dismiss the charges because they don't want to embarrass them by having a prostitution charge brought against them.

"So right now, my neighbors and I live in a 'free-fire' zone when it comes to prostitution and I support many of the things that the Chair of Public Safety mentioned. I do believe in many respects, it is a crime against women and that's why I support the 'No Trafficking' bill which is very important too.

"I think that evidence indicates that even where prostitution has been legalized, crime elements and human trafficking have been prevalent because a legal brothel still has to provide women. Well, on Kukui Street it's not necessarily women, but women or men to work in a brothel. So I'm not sure that decriminalization is any better. Well, it's exactly the same as what we have now and what we have now doesn't work very well. So I hope that my colleagues will take pity on the residents of Kukui Street and support this measure. Mahalo."

Representative McKelvey rose to speak in opposition to the measure, stating:

"In opposition. Just real quickly. You know, with all due respect to the previous speaker, there are criminal laws on the books right now and if they police aren't enforcing it, the judges aren't enforcing it, then how is increasing the penalties actually going to get them to enforce it?

"I hope the Members of this body would look at the fact that the problem is enforcement. You look at the comments, they revolve around assault and drug dealings which are also criminalized actions. So, you know, I think that the reality is that there are laws in the books that aren't being enforced. Increasing laws in the books will not lead to necessarily more enforcement."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm standing up with very, very strong reservations. I'm going to be a little 'social worky', since many of you forget I'm a social worker. But I've worked with adolescents that have actually had to perform, or be a part of 'survival sex' or actually getting involved with the sex industry to survive or to get money, Mr. Speaker.

"One of the things that was mentioned by the Representative from Downtown about criminalization or decriminalizing this type of behavior. The biggest fact that has been missed is that these people need treatment. They need help. They need support, Mr. Speaker. These bills, by throwing them in jail, will only increase the amount of people we have to put away. This bill does not address the issue of getting them resources. They are victims. They're going to be re-victimized by placing them in jail, making their ability to recover and become productive citizens even more difficult, Mr. Speaker.

"I think this is a wrong tactic to do, and again we are oppressing the ones who are the victims and not addressing the true issue which is the problem of getting these people the support, that need the training, the social opportunities to get out of the industry."

Representative Sagum rose in opposition to the measure and asked that the remarks of Representative Evans be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Lee rose to speak in support of the measure with reservations, stating:

"I rise with reservations and I have written comments. I would also just like to say that I'm strongly opposed to the criminalization of prostitution, but I don't think that prostitution should be legalized. I think we have to remember just who is the victim. If you look at our anti-trafficking bill I think that that will go a long way with identifying victims and helping them."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I have reservations on HB330. I am not a proponent of legalized prostitution; however, we need to remember just who is the victim here. I would like to quote from the article recently written by Melissa Farly in the H*onolulu Weekly*. She said:

> Wherever prostitution thrives, so does sex trafficking. If you were a pimp, where would you market your product? Someplace like Sweden, where there's a law against buying or selling people for sex? Or would you pimp women to countries that lay out a legal welcome mat: the Netherlands, Germany, Australia and wherever prostitution is legal? Sweden has an excellent prostitution law in which buyers and sellers of women are criminalized but prostituted people are not. Trafficking has plummeted in Sweden since the law was passed.
>
> We need a law that protects victims while it also effectively targets predators. Pimps and sex traffickers are not the only sex predators: Johns are predators, too.

"I am afraid that this law would be mostly applied to the female prostitute who, in many ways, is the tragic victim of greed and violence. Thank you."

Representative Yamashita rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support and I ask that the words of the Representative of Chinatown, my neighbor, be incorporated as my own. I feel your pain. I'm just *mauka* of Chinatown in Liliha, and as Hawaii Theater's getting cleaned up and Chinatown's cleaning up with more revitalizing, First Friday's a hit, and all that. What we've found in Liliha is a lot of the prostitutes are coming *mauka* to us. And so then my residents ask, 'How come I can't get them off the streets? What's going on?' It has a lot to do with what the Representative from Downtown is talking about. And so I understand that it's not mutually exclusive to do prevention.

"We have a lot programs now to do prevention, to do all that. It's a comprehensive approach. But the truth is, I guess my philosophy is, if you give them some responsibility and some control over your destiny. How many of us have had a hard life? We would not even dare to assume that anyone here has not had a hard life, maybe not as hard as some of those people, but we all make choices and I don't want my children around drug addicts who are coming down the streets of Liliha. Thank you."

Representative Rhoads rose to respond, stating:

"Still in support. Just to rebut some of the things that were said before. With regard to increasing the penalty, right now the penalty is theoretically a petty misdemeanor, which is a maximum sentence of one month. If we do give a higher penalty for prostitution, for the 'Johns' or for prostitutes, I think it does send a signal to the Judiciary that we are more serious about this and I think it's much less likely that they're going to let people go scot free.

"With regard to getting prostitutes out of the trade, if there's no consequence to doing what they're doing, I think they're more likely to stay in the trade than if they know that there's a possibility that they're going to end up in prison for a long period of time if, after the third offense, this doesn't apply until the third offense, that they know that there's real consequences there. Their life as normal can't keep going on like this if they keep on their present course. Thank you very much."

The motion was put to vote by the Chair and carried, and H.B. No. 330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Belatti, Bertram, Cabanilla, Evans, McKelvey, Sagum, Sonson and Souki voting no, and with Representatives Takai and Thielen being excused.

H.B. No. 451, HD 1:

Representative Caldwell moved that H.B. No. 451, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support efforts to address the growing problem of graffiti. However, HB No. 451 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the Judicial Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code.

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. This bill establishes within the Judiciary the graffiti eradication sentencing program. It is extremely difficult to catch a person in the act of painting graffiti. These taggers hit an area in a matter of minutes, sometimes seconds."

The motion was put to vote by the Chair and carried, and H.B. No. 451, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 8:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1149, HD 1
H.B. No. 1836, HD 1
H.B. No. 909, HD 1
H.B. No. 1786, HD 1
H.B. No. 330, HD 1
H.B. No. 451, HD 1

H.B. No. 1246, HD 1:

Representative Caldwell moved that H.B. No. 1246, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support deterrence of theft of copper. However, HB No. 1246 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Judicial Branch.

This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequence on our budget, and I believe it is important that the public, the Legislative Branch, the Judicial Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

The motion was put to vote by the Chair and carried, and H.B. No. 1246, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 304, HD 1:

Representative Caldwell moved that H.B. No. 304, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"Just in opposition. This is one of the 109 bills that have been introduced by this Legislature to limit the Governor's authority, an

authority that's been given to every Governor previous to this Republican Governor. And that's my opposition."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. And just to counter the statements of the prior speaker, I think what happens is sometimes when we see an abuse of power or a lack of discretion with the use of authority, then that's when the Legislature decides to enact. And I think this a perfect example of a time when we saw that authority actually squandered. We saw an appointment that, I think mostly everyone can agree wasn't really proper. Even she agreed because she asked for her resignation subsequently."

The motion was put to vote by the Chair and carried, and H.B. No. 304, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Ching, Finnegan, Green, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Takai and Thielen being excused.

H.B. No. 747, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 747, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Evans voting no, and Representatives Takai and Thielen being excused.

H.B. No. 1234, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1234, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TESTIMONY," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Belatti, Berg, Luke, McKelvey, Morita, Nishimoto, Shimabukuro and Takamine voting no, and with Representatives Takai and Thielen being excused.

H.B. No. 676, HD 1:

Representative Caldwell moved that H.B. No. 676, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"I support the intent to protect animals and deter animal abuse. However, HB No. 676 does not include appropriations or, at a minimum, language asking for a report to the Legislature on the increase of financial and personnel costs to the State's correctional facilities and the Executive Branch.

"This law will have an impact. Regardless of the economy our laws guide judges in the sentencing of offenders. Getting tougher on crime has consequences on our budget, and I believe it is important that the public, the Legislative Branch, the Executive Branch, and the Executive Branch get the fiscal implications of this law which amends the Penal Code."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 676, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Cabanilla, Herkes, Sagum and Sonson voting no, and with Representatives Takai and Thielen being excused.

H.B. No. 91, HD 1:

Representative Caldwell moved that H.B. No. 91, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"In opposition. The reasons to oppose the first part of this bill are:

It will limit the number of persons who are able to obtain the certificate to only those few CPAs that work for "public" accounting firms. Public accounting firms are those that do auditing. This type of auditing is mainly for customers, i.e., client companies, that have the need for audited financial statements;

It will raise the prices that CPAs charge, because it effectively limits the number of people being able to enter the profession;

It limits the work experience that one can use in obtaining the C.P.A. certificate. Specifically, it removes private, governmental, field audit, and upper division or graduate level accounting experience, and only leaves the public accounting experience. Government CPAs do audits of large corporations. A certificate is not required, but this bill will discourage government employees from having goals of obtaining the certificate, and thus not attend relevant courses.

"The CPA certificate demonstrates that the holder has a certain level of knowledge and expertise. It opens the doors to many types of job opportunities in a job shortage area.

"This bill is over-reacting to the recent public accounting frauds. In fact the Security Exchange Commission is seeking to reduce the management opinions required for disclosure.

"This bill affects government CPAs' working and staffing benefits. They will need to work elsewhere to obtain the qualified working experience if this bill passes. Government already has a hard enough time competing to attract and retain CPAs to do critical work. Please oppose this bill."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in opposition to the measure, stating:

I guess I'll be voting in opposition to this bill. There are provisions in this bill that would no longer accept a college person that's trying to get certain internships or qualifications in a government entity, like the Department of Taxation. So really, it only allows these types of, I guess we're trying to get certain degrees and certain provisions of what we're trying to accomplish.

"Basically what this bill does, it allows free interns for big business, but does not allow interns for government when they're trying to get a degree in accountancy."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you. In opposition and request to put written comments in the Journal. I did want to make one notation that the Society of CPAs was against it."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I oppose H.B. 91 – Relating to Public Accountancy. Under current law, an applicant for a CPA license must complete two years of experience, either by working for a CPA firm or by doing comparable accounting work in government or private industry under the guidance of a licensed CPA. This bill would change the law to provide that only experience working for a CPA firm can count toward the two-year requirement for licensing. Comparable experience in government or industry would not be considered.

"There are no records of any complaints within the parameter of existing law that shows that unqualified candidates are being granted licensure. Depending on the type of work and the quality of supervision, an applicant coming from a government or industry job may be as qualified or better than an applicant coming from a CPA firm. What is important here is not the type of firm one works in, but the actual work experience gained by working under the supervision of a CPA so that one learns the discipline required to practice in this field. HB 91 would harm Hawaii businesses, consumers, and CPA licensure candidates by closing off excellent vehicles for obtaining the experience required for licensure.

"Moreover, passage of HB 91 would cause Hawaii requirements to differ from national licensing norms. We do not want to limit the opportunities available to our young people. Hawaii licensure candidates should have the same avenues to gain experience and become licensed that are available to candidates in other states."

The motion was put to vote by the Chair and carried, and H.B. No. 91, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 35 ayes to 14 noes, with Representatives Ching, Evans, Finnegan, Ito, Luke, Magaoay, Marumoto, Meyer, Morita, Pine, Shimabukuro, Sonson, Ward and Yamane voting no, and with Representatives Takai and Thielen being excused.

At 8:12 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1246, HD 1
H.B. No. 304, HD 1
H.B. No. 747, HD 1
H.B. No. 1234, HD 1
H.B. No. 676, HD 1
H.B. No. 91, HD 1

H.B. No. 257, HD 1:

Representative Caldwell moved that H.B. No. 257, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Just really short comments. These proposed changes will help protect the true agriculture enterprises, prevent 'fake' farm developments and uphold the constitutional mandate to protect agricultural land. The county must achieve the guidelines of the State land use law when permitting agriculture developments. And I have additional written comments."

Representative Shimabukuro's written remarks are as follows:

"In support. The proposed changes will help protect true agricultural enterprises, prevent "fake" farm developments, and uphold the constitutional mandate to protect agricultural land by clarifying that the county must adhere to the guidelines of the state land use law when permitting agricultural developments. Regrettably, the Constitution and the Legislature's intent to protect agricultural lands have been frustrated. Adoption of the proposed bill would help to better protect agricultural land, natural beauty and natural resources.

"The Hawai`i State Constitution Article 11, Section 3 mandates:

The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands.

"The Land Use Law, HRS Chapter 205, serves to protect agricultural lands. In passing the Land Use Law, the Senate noted:

The purpose of this bill is to preserve and protect land best suited for cultivation, forestry and other agricultural purposes and to facilitate sound and economical urban development in order to promote the economy and general welfare of the state, and to insure the efficient expenditure of public funds. . . .

The state's highly productive agricultural lands are jeopardized by normal economic laws which encourage land owners to place their own particular pieces of land to the most profitable current use for which they can find a market. Long term agricultural leases are expiring annually. Because of the pressure for urbanization the land owners are reluctant to continue long term renewals of such leases, and the lessee is therefore discouraged to develop the land to its maximum agricultural production. If exclusive agricultural zones are not established to preserve and protect prime agricultural lands from infringement by non-agricultural uses, the possibility of land speculation through inflated or artificial land prices may jeopardize the existence of major agricultural companies or activities. The most effective protection of prime agricultural lands, preservation of open space and direction of for urban growth, is through state zoning.

S. Stand.Comm.Rep. No.937, 1961 Senate Journal 883.

"The Land Use Law protects agriculturally designated land for more than agricultural values; it also serves to protect natural beauty and natural resources, to prevent scattered and premature development, to limit land speculation of urban areas. (1961 House Journal 855; 1961 Sess. Laws 299; See also, HRS § 226-104.) As the Hawai`i Supreme Court recently noted:

In sum, the overarching purpose of the state land use law is to "protect and conserve" natural resources and foster "intelligent," "effective," and "orderly" land allocation and development. See 1961 Haw. Sess. L. Act 187 § 1 at 299 ("[I]n order to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited for the public welfare . . . , the power to zone should be exercised by the State.") See also Pearl Ridge Estates Community Ass'n v. Lear Siegler, Inc., 65 Haw. 133, 144 n.9, 648 P.2d 702, 709 n.9 (Nakamura, J., concurring)("Thus, conservation lands must be reserved if practicable, agricultural lands should be protected, and urban lands should be developed in orderly fashion.")
Curtis v. Board of Appeals, County of Hawai`i, 90 Haw. 384, 396 (1999), 978 P. 2d 822, 834.

"The Hawai`i Supreme Court has long observed that the emphasis of the Land Use Law is on controlling growth and protecting resources:

By enacting HRS ch. 205 in 1961, the legislature intended, inter alia, to "[s]tage the allocation of land for development in an orderly plan," H.Stand.Comm.Rep. No. 395, 1st Haw.Leg., 2d Sess., reprinted House Journal 855-56, and to redress the problem of "inadequate controls [which] have caused many of Hawaii's limited and valuable lands to be used for purposes that may have a short-term gain to a few but result in long-term loss to the income and growth potential of our economy. Act 187, 1961 Haw.Sess. Laws 299.
Neighborhood Board v. State Land Use Commission, 64 Haw. 265, 272-3, 639 P.2d 1097 (1982).

"In passing the Land Use Law, the Senate noted:

The purpose of this bill is to preserve and protect land best suited for cultivation, forestry and other agricultural purposes and to facilitate sound and economical urban development in order to promote the economy and general welfare of the state, and to insure the efficient expenditure of public funds. . . .

The state must protect its valuable land resources. There is a special need to protect agricultural land from urban encroachment, to prevent scattered and premature development, to limit land speculation of urban areas, and to protect the unique natural assets of the state. . . .

The most effective protection of prime agricultural lands, preservation of open space and direction of for urban growth, is through state zoning.
S. Stand.Comm.Rep. No.937, 1961 Senate Journal 883.

"HRS Chapter 205 was enacted in an effort to manage growth on islands of limited resources:

Scattered subdivisions with expensive, yet reduced public services; the shifting of prime agricultural lands into non-revenue producing residential uses when other lands are available that could serve adequately urban needs . . . these are evidences of the need for public concern and action.
Act 187, 1961 Haw Sess. Laws 299.

"Despite the statutory objectives and constitutional obligations, the State Legislature, the courts, the Land Use Commission itself and even developer representatives have recognized numerous attempts to circumvent the law.

"The State Legislature long ago noted that the requirements of the Land Use Law had been skirted. That is why, in 1976 the Legislature amended the Land Use Law to clarify that urban type residential subdivisions are not authorized on agricultural land.

The purpose of the agricultural district classification is to control the uses of the land for agricultural purposes. This purpose is being frustrated by the development of urban type residential communities in the guise of agricultural subdivisions. To discourage abuse of this purpose, the bill, as amended, more clearly defines the uses permitted within the agricultural district. Except for such uses permitted under special use permits in Section 205-6, and for nonconforming uses permitted in Section 205-8, uses not permitted by this bill shall be prohibited.
S.Stan.Comm. Rep. No. 662-76, 1976 Haw.Leg. Sess., Senate J. 1177; See HRS 205-4.5.

"Similarly, the Intermediate Court of Appeals observed that developers were circumventing the Land Use Law.

Although the enforcement of the State of Hawaii's land use laws is not before us in this case, we are extremely troubled by WRE's apparent use of the restrictive covenants to privately rezone land that is classified agricultural use and thereby create large estates for the wealthy, who have no intention of maintaining the land for agricultural purposes.
Angel Pelosi v. Wailea Ranch Estates, 10 Haw. App. 424, 431 at fn 3, 876 P.2d 1320 (1994).

"The Land Use Commission itself has witnessed efforts to circumvent the Land Use law. In examining the Crazy Horse development on 10.496 acres of agriculturally classified land in North Kona, the LUC observed:

36. To date, twenty dwelling units have been constructed within the Property.
37. Each of the dwelling units are three-stories in height and consists of four bedrooms, six baths, five dressing room areas, two enclosed lanais, a kitchen area, a dining room, a living room, and a housekeeper room.
. . .
39. In response to a subpoena issued by the Commission on August 5, 1994 to Village Realty ("Subpoena-VR"), Village Realty provided a print advertisement caused by Village Realty to be published which states that one bedroom/one bath units with ocean view and cool elevations were available for rental at $350.00/month. This print advertisement also stated that the offer is limited to available apartments and limited to one person per apartment.
. . .
43. The advertisements caused to be published or broadcasted do not indicate that the individual rooms within the dwellings being promoted or marketed as single individual rental units must be connected to any agricultural related use.
In re: Godfrey, DR94-17 at 9 -10 (Dec. 6, 1994).

"More recently, the LUC caught Pacific Star attempting to circumvent the Land Use Law at Keopuka. In the recent LUC Declaratory Order, it was noted:

14. Developer would have us examine each component of the project, e.g., the single-family residences, the golf course, the large-sized mauka lots, and conclude that because each component as a stand alone development might be permitted, the entire development would also be permitted. We decline to adopt this narrow analytic thesis.
. . .
We do not find it credible that houses along the cliff area to be marketed at one to 3 million dollars per lot are part of any true agricultural enterprise.

15. . . . We find that the luxury homes as contemplated are not related to agricultural activity and are not farm dwellings as presented.
In re: The Sierra Club and David Kimo Frankel, DR00-23 at 18 - 19 (Oct. 25, 2000).

"These examples are not isolated. Steve Lim, attorney for Pacific Star, and a frequent representative of developers in the land use entitlement business, argued in state court that "projects similar [to the Keopuka Project] have been developed on agricultural land elsewhere in the County of Hawaii and in the State of Hawaii." (Appellant Pacific Star, LLC's Opening Brief, Civil No. 00-1-209K at 8)

On the island of Hawaii, some of those projects are Waikii Ranch, Kohala Ranch, Maliu Ridge, Puu Lani Ranch, Mahukona, and the agricultural lot projects proposed by Kealakekua Development Corporation and Pace Ranch. On the other islands, similar projects include the Waikapu Mauka project and Alexander & Baldwin's Kula area projects on Maui, the numerous agricultural lots/CPR projects on Kauai, and the proposed Obayashi project on Oahu. Id.

"When developers circumvent the Land Use Law with urban type residential communities in the guise of agricultural subdivisions, the Land Use Commission is unable to fulfill its constitutional obligations or further the objectives of the Land Use Law. Fake-farm development projects on agricultural lands avoid LUC review of the projects' impacts on native Hawaiian gathering rights, historic sites, burials and constitutionally protected natural resources. Fake-farm developments:

- Undermine the integrity, affordability and productivity of agricultural land;
- Frustrate the ability of government to foster "intelligent," "effective," and "orderly" land allocation, protect open space and prevent scattered premature development; and
- Jeopardize constitutionally protected native Hawaiian rights, natural beauty, and natural resources.

"In regards to assessing whether a project in agricultural or not, the proposed bill has precedent. The assessment language is based on the LUC's declaratory order in the Keopuka case, In re: The Sierra Club and David Kimo Frankel, DR00-23 at 18 (items 13 and 14). The second part is based on the state's Environmental Impact Statement Rules, Hawaii Administrative Rules 11-200-7. And the third is based on the state's procurement code, HRS 103D-305. The rationale is clear:

> *[T]here are situations in which an agency is required to consider several related actions in a single EIS. Not to require this would permit dividing a project into multiple "actions," each of which individually has an insignificant environmental impact, but which collectively have a substantial impact.*
> Thomas v. Peterson, 753 F.2d 754, 758 (9th Cir. 1985). See also, Kahana Sunset Owners Association v. County of Maui, 86 Haw 66 (1997).

"Given the tendency of developers to avoid rigorous LUC review, it is incumbent on the Legislature to adopt legislation that provides clear guidance on what is unacceptable. Guidance as to what does not constitute an agricultural development will provide more clarity and certainty to developers.

"This measure ensures that 'fake' farming developments do not avoid Land Use Commission review and approval. The LUC would retain its ability to protect cultural sites, native Hawaiian rights, open space, natural beauty, natural resources and the integrity of agricultural land."

The motion was put to vote by the Chair and carried, and H.B. No. 257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Marumoto voting no, and Representatives Takai and Thielen being excused.

H.B. No. 1901, HD 1:

Representative Caldwell moved that H.B. No. 1901, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Berg rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I am in opposition to HB 1901 HD1. While it contains some desirable elements, it severely weakens our existing land use law and public process for reclassifying agricultural lands. HB 1901 HD1 would facilitate moving tens of thousands of acres (or more) of current agricultural land -- if it's not currently being farmed -- into the rural district.

"Nothing prevents landowners or counties with ostensibly "rural" lands from petitioning to reclassify those lands through the existing public process before the LUC. A streamlined process proposed in HB 1901 HD1 may foster unbridled sprawl as counties can race forward with a 90-day automatic approval, thereby opening up agricultural lands to further development.

"Furthermore, through this measure, there will be an elimination of the existing process for rural reclassification that will significantly curtail the public's involvement in land use decision making: Essentially, with this bill:

1) The public will lose its right to question developers and their paid witnesses. Currently, the LUC's contested case proceedings give the public that right. In contrast, there is no such right before the city or county councils.

2) The public will lose its right to make a complete and detailed factual presentation with expert witnesses and evidence. Presentations before the county councils are usually restricted to three minute speeches.

3) The public will lose its right to challenge decisions which are inappropriate or contrary to the law. Over the years, the LUC has made several poor decisions, but because the LUC's procedures allow citizens to seek redress in the courts, citizens have been able to reverse these decisions. For example, Judge Michael Town, then a private citizen, successfully challenged the proposed development of agricultural land on Maui. Wai`anae residents blocked a 103 acre amusement park at Kahe Point. Miloli`i residents stopped the Hawaiian Riviera Resort along the Ka`u coast. Central O`ahu residents stopped a 5000+ home subdivision on mostly prime agricultural land. In these cases, the courts agreed with citizens that development approvals were inappropriately granted. In contrast, HB 1901, HD1 allows no such redress. It only states that parties "shall further be allowed at least fifteen days following the final public hearing to file with the Commission a written protest or other comments or recommendations."

"In addition, HB 1901 HD1 relies on outdated soil classifications for designation of the agricultural and rural districts.

"Finally, what this measure seems to overlook is the sprawl-preventing aspects of our state land use law. The founders of Hawaii's land use law were the first in the nation to establish de facto "urban growth boundaries" and use comprehensive zoning as a way to keep unbridled development in check statewide. Our current law helps to prevent costly "urbanization" of lands far from existing urban areas where additional development is more efficient. In other words, when agriculturally designated lands restrict urban uses outside of the urban core (i.e., by prohibiting "residential" uses), they serve their purpose even if they are not actively farmed. Agricultural designation is a critical tool to contain urban growth and focus development where it makes the most sense.

"While HB 1901, HD1 has some worthy ideas, the bill lacks several amendments needed to make other sections of Chapter 205 consistent with the amendments proposed. The most problematic provision in the bill is the language for the LUC to reclassify lands before January 2009. The procedure for this is not specified in the bill, and the LUC currently has neither the authority nor a mechanism by which to reclassify lands on its own. The provision might be perceived as procedurally flawed since it would entail the LUC acting on its own application as both petitioner and decision-maker.

"In closing, a redefined Rural District could serve two very important functions: 1) the long-term protection and maintenance of rural working lands, established rural communities, and the natural, open space character and rural scale of rural landscapes; and 2) the accommodation of non-urban, non-agricultural activities and uses away from agricultural lands in the Agricultural District. The State's role is to ensure that the policy framework set at the state level is sufficiently robust and provides clear guidance for planning and managing rural land use and that the State policy enables and encourages counties to adopt codes, standards and programmatic tools that work together to support and protect both rural and agricultural areas. HB 1901 HD1 does not enable the state to fulfill that role."

Representative Shimabukuro rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"In opposition. While the bill contains some desirable elements, it severely weakens our existing land use law and public process for reclassifying agricultural lands. HB 1901 HD1 would facilitate moving tens of thousands of acres (or more) of current agricultural land -- if it's not currently being farmed -- into the rural district.

"First, nothing prevents landowners or counties with ostensibly "rural" lands from petitioning to reclassify those lands through the existing public process before the LUC. A streamlined process like that proposed in HB 1901 HD1 may foster unbridled sprawl as counties can race forward -- 90 day automatic approval! -- with opening up agricultural lands to development.

"Second, elimination of the existing process for rural reclassification will significantly curtail the public's involvement in land use decision making.

"The public will lose its right to question developers and their paid witnesses. Currently, the LUC's contested case proceedings give the public that right. In contrast, there is no such right before the city or county councils.

"The public will lose its right to make a complete and detailed factual presentation with expert witnesses and evidence. Presentations before the county councils are usually restricted to three minute speeches.

"The public will lose its right to challenge decisions which are inappropriate or contrary to the law. Over the years, the LUC has made several poor decisions. But because the LUC's procedures allow citizens to seek redress in the courts, citizens have been able to reverse these decisions. For example, Judge Michael Town, then a private citizen, successfully challenged the proposed development of agricultural land on Maui. Wai`anae residents blocked a 103 acre amusement park at Kahe Point. Miloli`i residents stopped the Hawaiian Riviera Resort along the Ka`u coast. Central O`ahu residents stopped a 5000+ home subdivision on mostly prime agricultural land. In these cases, the courts agreed with citizens that development approvals were inappropriately granted. In contrast, HB 1901 HD1 allows no such redress. It only states that parties "shall further be allowed at least fifteen days following the final public hearing to file with the commission a written protest or other comments or recommendations."

"Third, HB 1901 HD1 also relies on outdated soil classifications for designation of the agricultural and rural districts.

"Finally, what this measure seems to overlook is the sprawl-preventing aspects of our state Land Use Law. The founders of Hawaii's land use law were the first in the nation to establish de facto "urban growth boundaries" and use comprehensive zoning as a way to keep unbridled development in check statewide. Our current law helps to prevent costly "urbanization" of lands far from existing urban areas where additional development is more efficient. In other words, when agriculturally designated lands restrict urban uses outside of the urban core (i.e., by prohibiting "residential" uses), they serve their purpose even if they are not actively farmed. Agricultural designation is a critical tool to contain urban growth and focus development where it makes the most sense.

"Please vote against HB 1901 HD1."

Representative Morita rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, although House Bill 1901, House Draft 1 has some good provisions, this bill will also make fundamental changes to the State land use law, which, if allowed, will promote an unprecedented scattered pattern of sprawl in rural areas. Its two key provisions would:

- Authorize an expedited, ninety day process by which the Land Use Commission, State Office of Planning or a county to seek the reclassification of potentially thousands of acres of lands currently in the Agricultural District into a redefined Rural District;
- Deny citizens opposed to these changes virtually all recourse to challenge those decisions by making the process **quasi-legislative**, with no rights to contested case hearings. Effectively, any opposition to reclassification will be limited to one public hearing, with no rights to question individuals about the wisdom of such changes;
- Permit the grandfathering of existing (as of January 1, 2007) illegal residential subdivisions in the Agricultural District, thereby continuing the spread of urban and suburban sprawl in the form of scattered residential subdivisions, often times catering to the luxury market.

"Currently, the Rural District established by the Land Use Commission consists of only 0.26% of the lands of the State. However, the Hokulia litigation put counties, developers and landowners on notice of their obligations to prohibit use of lands for residential subdivisions in the Agricultural District (48% of all lands). Accordingly, the political strategy is to allow the shifting of these past improper land uses to the Rural District, which has more vague, and far less restrictive, permissible use standards (e.g., minimum lot size of half-acre, allows low density residential subdivisions).

"By allowing reclassification of current agriculture district lands into rural district lands, House Bill 1901, House Draft 1 could potentially transform vast agricultural areas by legitimizing residential and non-agricultural uses currently not allowed in the agriculture district without regard for their potential impact on agricultural activity. For example, it allows reclassification by landowners of up to 10% of any important agricultural lands they own to be reclassified for the Rural District. It would also require consideration of:

- Contiguous land areas with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class C, D, E, or U, not included in the agricultural district by the land use commission by January 1, 2009;
- Areas not suited to agricultural and ancillary activities by reason of topography and other related characteristics; and
- Areas suitable to other uses requiring limited physical infrastructure development and services, including low density residential uses, outdoor recreational uses, and passive open space uses.

"Rural districts may also include compact, small mixed use rural towns and service centers. Without any clear limitations related to sound land use planning, this bill would allow development that paves over open space, stifles agricultural activity by small farmers, and invites more expensive and intrusive infrastructure throughout rural areas. This potential sprawl will have a devastating impact on the ability of local small farmers and residents to afford land. It will clearly shift the past controversy over protecting agricultural land to the Rural District.

"For these reasons, Mr. Speaker, I ask my colleagues not to support this measure."

The motion was put to vote by the Chair and carried, and H.B. No. 1901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 40 ayes to 9 noes, with Representatives Belatti, Berg, Carroll, Luke, Morita, Rhoads, Saiki, Shimabukuro and Takumi voting no, and with Representatives Takai and Thielen being excused.

H.B. No. 1037, HD 1:

Representative Caldwell moved that H.B. No. 1037, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 1037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 310, HD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 310, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Takai and Thielen being excused.

H.B. No. 707, HD 1:

Representative Caldwell moved that H.B. No. 707, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

At 8:16 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 257, HD 1
H.B. No. 1901, HD 1
H.B. No. 1037, HD 1
H.B. No. 310, HD 2
H.B. No. 707, HD 1

At 8:15 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 8:18 o'clock p.m.

H.B. No. 881, HD 1:

Representative Caldwell moved that H.B. No. 881, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. This bill would raise standard deduction amounts, modify the income tax brackets based on inflation, and increase personal exemptions.

"The estimated fiscal impact of this bill is $10 million per year.

"Mr. Speaker, I suggest that Members carefully consider these fiscal implications alongside others moving through the House and Senate this year. Equally important, Mr. Speaker, is that Members not overstate the magnitude of the surplus. While it is true that we had a sizable surplus of over $700 million at the end of fiscal year 2006, Members must remember that the projected surplus for this year is already down to a little over $400 million. Furthermore, our year end balances are projected to decrease drastically over the next two years.

"Still, I remain cautiously optimistic, or "cautioumistic", as one Finance analyst opined, that we will be able to reduce taxes. And if we are able to provide some reduction, that we do so for lower income working families. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I support this bill. This is a long-overdue bill to take into account inflation in setting tax brackets, standard deductions, and personal exemptions. Unless this bill is enacted, inflation will in effect create automatic annual tax increases, since without inflation indexing when wages rise due to inflation you pay more in taxes despite not gaining any real purchasing power."

The motion was put to vote by the Chair and carried, and H.B. No. 881, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COST OF LIVING ADJUSTMENTS TO INCOME TAX RATES AND STANDARD DEDUCTION AND PERSONAL EXEMPTION AMOUNTS," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 1799, HD 1:

Representative Caldwell moved that H.B. No. 1799, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. This bill would provide a state earned income tax credit equal to 20% of the federal EITC.

"The estimated fiscal impact of this bill is $24 million per year.

"Mr. Speaker, I suggest that Members carefully consider these fiscal implications alongside others moving through the House and Senate this year. Equally important, Mr. Speaker, is that Members not overstate the magnitude of the surplus. While it is true that we had a sizable surplus of over $700 million at the end of fiscal year 2006, Members must remember that the projected surplus for this year is already down to a little over $400 million. Furthermore, our year end balances are projected to decrease drastically over the next two years.

"Still, I remain cautiously optimistic, or "cautioumistic", as one Finance analyst opined, that we will be able to reduce taxes. And if we are able to provide some reduction, that we do so for lower income working families. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 1799, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 1434:

Representative Caldwell moved that H.B. No. 1434, pass Third Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. This bill would provide a mandatory income tax rebate to all taxpayers of an undetermined amount. Each $1 of rebate translates to approximately $1 million.

"Mr. Speaker, I suggest that Members carefully consider the potential fiscal implications of this bill alongside others moving through the House and Senate this year. Equally important, Mr. Speaker, is that Members not overstate the magnitude of the surplus. While it is true that we had a sizable surplus of over $700 million at the end of fiscal year 2006, Members must remember that the projected surplus for this year is already down to a little over $400 million. Furthermore, our year end balances are projected to decrease drastically over the next two years.

"Still, I remain cautiously optimistic, or "cautioumistic", as one Finance analyst opined, that we will be able to reduce taxes. And if we are able to provide some reduction, that we do so for lower income working families. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I strongly support the concept behind this bill. The large State budget surplus we've run up shows that we are overtaxing our citizens. But, I have three concerns. First, this bill has a blanked out amount for the tax credit, and prior Legislatures in this situation have ignored the spirit of the Constitution by refunding only a token amount, such as $1. We need a substantial tax credit that would refund a meaningful sum of money to our citizens. Second, it doesn't appear that the other legislation moving through the process will fix the root of this surplus by permanently lowering taxes."

The motion was put to vote by the Chair and carried, and H.B. No. 1434, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 238:

Representative Caldwell moved that H.B. No. 238, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in support with very brief comments. This was a measure that was approved by the legislature last year and vetoed by the governor. It required a raise from 5% to 8.25% of the amount realized on the disposition of Hawaii real property by a non-resident seller. So again, it's part of our package on really curbing speculation and making housing more affordable for our workforce."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in opposition to H.B. 238 – Relating to the Sale of Real Property.

"This bill would increase the rate of tax from 5% to 8.25% that must be withheld from the sale of real estate by a nonresident seller. The Department of Taxation, as stated by Director Kurt Kawafuchi, will be impacted by this legislation because of the potential increase in refund claims that will be generated by increasing the amount withheld on real estate sales by nonresidents.

"The Department already receives numerous refund claims for withheld tax on these sales. In 1991, the withholding rate was 9% and was lowered 7 months later to 5%. It does not seem reasonable for the State to collect withholding tax in excess of the current capital gains tax rate of 7.25%. It is not only cumbersome for our timeshare owners to have to wait for the State to return the excess 1%, but it also wastes valuable State resources in having to administer the refunds of the excess amount."

At 8:21 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:22 o'clock p.m.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. This bill would increase the withholding tax amount, from five percent to eight and one-quarter percent, on the disposition of real property by a non-resident seller.

"This bill would assist the State in ensuring that non-residents who sell property in Hawaii have paid all the taxes that are due. All too often, non-resident owners of real property make money from their property by renting it out as transient accommodations or rentals, but never pay the general excise or transient accommodation taxes due to the State. This bill will help ensure compliance.

"Mr. Speaker, I suggest that Members carefully consider the fiscal implications alongside others moving through the House and Senate this year. Equally important, Mr. Speaker, is that Members not overstate the magnitude of the surplus. While it is true that we had a sizable surplus of over $700 million at the end of fiscal year 2006, Members must remember that the projected surplus for this year is already down to a little over $400 million. Furthermore, our year end balances are projected to decrease drastically over the next two years.

"Still, I remain cautiously optimistic, or "cautioumistic", as one Finance analyst opined, that we will be able to reduce taxes. And if we are able to provide some reduction, that we do so for lower income working families. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 238, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF REAL PROPERTY," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Meyer and Pine voting no, and with Representatives Takai and Thielen being excused.

At 8:25 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 881, HD 1
H.B. No. 1799, HD 1
H.B. No. 1434
H.B. No. 238

H.B. No. 1658, HD 1:

Representative Caldwell moved that notwithstanding the recommendations contained in Stand. Com. Rep. No. 955, that H.B. No. 1658, HD 1 be recommitted to the Committee on Finance, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, H.B. No. 1658, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ANTARA MEDICAL TRUST FUND," was recommitted to the Committee on Finance, with Representatives Takai and Thielen being excused.

H.B. No. 1909, HD 1:

Representative Caldwell moved that H.B. No. 1909, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with strong reservations, but high expectations. Mr. Speaker, this bill has the potential of becoming one of the crown jewels of this Session. In the beginning it started out like that. It was called an ethics bill. Now it's only a Standing Committee on Conduct. We talked earlier about the public having confidence in us. This is a bill that will bring it. You talked about people wanting to show up to vote. This is a bill that will bring it in. But I have three problems with the bill, Mr. Speaker.

"Number one, it should not be Speaker-driven. In all due respect, Mr. Speaker, you have enough power as it is. You don't have to be sorting out who's ethical, who's not ethical, etc.

"Number two, it should have balanced representation between Minority and Majority. Right now, it is blanked out. And as at the press conference when you first announced the Ethics Committee, you gave the inspiration of the new Democratic Senate, the new Democratic Congress. Their Ethics Committee is three Republicans and three Democrats in the Senate. The House is four Republicans and four Democrats. So balance.

"The third problem I have with it is that right now you've turned the Ethics Commission into a clearinghouse. Essentially what happens is a bill is, or a complaint is filed, or essentially is brought into the Standing Committee, or however you call it, Conduct Committee and it immediately goes to the Ethics Commission. This is not only passing the buck, but it's a redundancy of what we've had in the Ethics Commission for years and years. We've always had an Ethics Commission. So there's no reason for us to set up a group to be a clearinghouse because then we can go to them straightaway. We don't have to go through this particular body.

"Mr. Speaker, you don't have to take it from me. We've lost some ground. And for those of you who have seen this morning's *Advertiser* editorial, they've said it, probably in summary terms, 'House Bill on Ethics won't reform anything'. Mr. Speaker, those are strong words, they've been watching us. We put out high expectations when you had the press conference and we've been continually moving backwards.

"I'm confident however, that you and the Leadership will push this forward because we can be more ethical. We can put our Ethics Committee back together and making it more than just something on Standards of Conduct. Everyone has the good housekeeping things on the wall. I think we need more than that. And this body has the potential to do it. And so that's why I'm only going with reservations because we have the potential to make this one of the crown jewels of the Session. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. First, Mr. Speaker, I think we all need to thank the Chair of Judiciary and the Chair of LMG for putting a lot of hours and hard work and research into working on this issue. And I think every Member of this body can be proud of that, that for the first time, I think, this body has taken up the issue of trying to set up an Ethics Committee or a Standards of Conduct Committee that polices itself. Up until this proposal, it does rest with the Speaker of the House and the President of the Senate. And it's a huge burden to place on both of those Members, whoever they are, through the decades.

"What we're trying to do here is setting up a Committee within our body to deal with these issues. I think we've taken a bold first step along those lines. And as we walk down that path, we've seen that perhaps there are things we need to do to amend it. I think the *Advertiser* got it wrong, this morning, in their editorial unfortunately and I'm hoping that with time they will see where they erred. But this is what we've done.

"We took a bill, HB No. 1909, it was introduced, and basically copied what the United States Senate had done. But what we have here in Hawaii is very different than the United States Senate. We can be proud of the fact that this body, years ago, adopted and passed an Ethics Commission, one of the first in the United States. So we're on the forefront in that way. And this independent body investigates ethics complaints involving members of this Legislature.

"When we established HB No. 1909, what we discovered is that perhaps we could set up a situation where both an Ethics Committee and the Ethics Commission could both be doing separate investigations on the same complaint and arriving at different conclusions. We didn't want to create that problem. One, it duplicates work. Secondly, which one is the appropriate body to do this?

"Now, Congress doesn't have that. They don't have an independent Ethics Commission. They have an Ethics Committee. They deal with everything. So the Chair of Judiciary and the Chair of LMG recognized that, stepped back and said, let's look at this issue. Let's allow the Ethics Commission stand. It does a good job. We should be proud of the hard work that they do. Let's refocus our efforts on what isn't covered by the Ethics Commission. And those issues are things that deal with standards of conduct. It's all kinds of things, in terms of how we handle ourselves.

"So the beauty of it, Mr. Speaker, is that we said complaints can be made. And they're being referred first to the Ethics Commission. If the Commission determines, very quickly, that it's not within their jurisdiction, it's a standard of conduct issue, not an ethics issue, they remand it back to the Committee. And the *Advertiser* got it wrong when they said it's you or the President of the Senate that determines whether that complaint is taken up. No.

"If you read the bill, you can refer to it, you go to page 5, line 10, subsection 3, 'The commission shall promptly provide the legislative standards of conduct committee with an explanation of the commission's decision …'. Excuse me. I'm reading the wrong thing. Okay, sorry.

"Page 3, staring with line 16. 'Upon receipt of a decision by the State Ethics Commission, pursuant to section 84-E, that a charge does not fall within the Commission's jurisdiction', this is Ethics Commission's jurisdiction, 'then the Legislature's Standards of Conduct Committee shall determine whether there is sufficient cause to file a complaint against the legislator.'

"The Standards of Conduct Committee, determines, Mr. Speaker. Not you as Speaker. And not the Senate President. So there is this independence. Right now it's blanked out as to how many members should be on the Committee and what the balance should be? When we put in HB No. 1909, it basically followed every other Committee on this body, which is that the Majority Party had the majority of the members. The Minority was bothered by that. And you know, we could understand it. They could be bothered by that. In discussions

in the LMG and the Judiciary Committee, I would say that there's a close agreement that it should be balanced. Three three. Something along those lines. But we believe that something has to be discussed further, as it moves through the Senate.

"And there's also the issue of who should chair the Committee. Should it be the Speaker and the President? Should it be the Chair of Judiciary? In any event, those people I just mentioned are part of the Majority Party. Now others have said, including the *Advertiser*, that perhaps …"

Representative M. Oshiro rose to yield his time, and the Chair, "so ordered."

Representative Caldwell continued, stating:

"Thank you, Chair of Finance. I appreciate it. Perhaps, we really shouldn't be policing ourselves. Some other body should. Well, we do have an Ethics Commission that does review complaints.

"But I wanted to point out. We have the Board of Medical Examiners for physicians. They police themselves. They determine who gets licenses, who revokes licenses and guess what? The majority of those members on that commission are MDs, as they should be. You've got the Office of Disciplinary Council that regulates lawyers. And the majority of those members are lawyers and bring on punishment. And Mr. Speaker, I'd like to point out that that Honolulu Media Council does the same things for journalists.

"Now we could argue that maybe the Legislature should police the professionals and ethics of journalism. They wouldn't like that. The point being that many different professions police themselves. And we're trying to do this. And it's much different than what's existed for decades. So we're starting this independent Committee to take up these complains that the Ethics Commission doesn't have a jurisdiction over. It's going to bring greater discipline, I think Mr. Speaker, for this body, it's going to bring greater sensitivity. And it's going to put less burden on leadership in terms of the Speaker of the House and the President to determine what should be investigated and not. And there's a process in place.

"Now finally, the *Advertiser* said that they didn't like the fact that we had to come up with rules. Well, here's the Senate rules, for the United States Senate. Two inches thick. Rules. I think this Committee, to operate appropriately, they are going to need rules. And these rules could deal with all kinds of issues that pertain to some of the things that we took out of this bill.

"Mr. Speaker, I think this is a bold step. I think we should be proud of what we've done. And I think it continues to be a work in progress and that we'll continue to deal with it all the way up to Conference. Thank you, Mr. Speaker. I hope everyone supports the bill."

Representative Pine rose in support of the measure with reservations, and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand with reservations and would like the words of the speaker from Hawaii Kai, and also I have some additional comments.

"I think in regards to the authority upon the Committee that the Majority Leader was talking about, I think the part in question has to do more with the duties of the Legislative Standards of Conduct Committee. It says, 'shall review ethics issues as requested by the Speaker.' So I read that to mean it has to come from you. So if there's some kind of conduct issue, it would have to come through you in order to get to the Committee. And I think that's what they were talking about.

"The other thing is, it's extremely difficult for us to police ourselves because as you know, this body here where 51 Members—and as much as we would want to, it's very difficult. We work with each other. We try to collaborate with each other, we work on different bills. And we develop relationships. That's extremely difficult. And we have Chairmanships over Members and all those other items that makes it very difficult to say, You know what? I think you did something wrong.'

"Mr. Speaker, I would just like to say to police ourselves is asking a lot out of us. But I'm willing to move forward with this because you know what, the effort that has been put into it thus far should continue and I hope that we come out with a good bill."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to make sure that we are reading the same bill because it does say that you are the Chair of the Committee on page 2, lines 5 to 7. The Speaker of the House shall serve as Chair of the Committee. And then as previously quoted, your obligation and the Committee's obligation is to review the ethics as requested by the Speaker. So if you don't request any ethical movement, nothing happens.

"And I think for the sake of the record, the *Advertiser* did get it straight. But I think there's something else missing in what the *Advertiser* didn't say and what we haven't said. There are two things that we need to put ourselves under. One is the Sunshine Law. We have never said that we are subject to that. And number two, it's conflict of interest. You can put all the conflicts of interest out there, as you know, today we've had probably a couple dozen. The Ethics Commission hasn't been dealing with those. Those are things that we need to get serious about in this.

"And I can quote the *Advertiser* as, an encouragement for us. 'As for today's vote, the House should have some guts and allow these Committees to operate more independently of the powers that be.' So asking for a real Ethics Commission with real enforcement and real objectivity, bipartisanship, observation from the outside and something that we can all be proud of Mr. Speaker. And that's why I say this as a bit of a critique, but with an optimism that this can be one of the things that shines after the Session's over and I hope the Senate and all of us have that reform spirit. Thank you, very much."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, very briefly in support. First of all, I just want to correct people's reading of the bill. I think they need to look at it closely. On page 3, line number 7, subsection 4 says, 'perform the duties required by 84-C. So, the law that talks about subsection 3 and the right for you to refer things, what they really need to look at is the next line because that says they have to perform the duties as outlined in 84-C and as the Majority Leader already said, he went through the process. I think that clarifies it for everybody. It's not discretionary to the Speaker when a complaint is made and when it's not going to be taken up by the Ethics Commission.

"But secondly, I just want to address the concern that, our Ethics Code really has to do with every single person in State government. And really that's what Chapter 84 is about. It's about the standards of conduct and ethics for everyone. And the question is, when we as a Legislature, are going to say that we want to take up something over and beyond that, or differently than that, how are we going to set that up?

"So I think it's perfectly fine for us to have this structure because the Ethics Commission is totally independent. We want them to have that independence. We want them not to be members of our own body. We want that unbiased opinion. We want that independent

review. And that's what they provide. And if they cannot, for some reason, take up a complaint because it doesn't fall under Chapter 84, at that point then the Legislature, itself, can take it on its own accord to decide what, if anything they're going to do. I think that's totally appropriate and there's no reason why we need to be creating dual structures. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. I'm pleased at the Majority stepped forward and moved this idea forward. I think it was time to do that. The part that I'm most concerned about is the makeup of the Legislative Standards of Conduct Committee. I was happy to hear the Majority Leader talk about discussions in other Committees that talked about having equal members. I think that by having equal numbers and I think three and three would be good. I don't think it should be such a small Committee so that there could be a free exchange of ideas. I think the Committee would have a lot more credibility if it had equal representation. Thank you, Mr. Speaker."

Representative Caldwell rose to respond, stating:

"Mr. Speaker, just briefly. Just to make it absolutely crystal clear because I still think some people don't get it. And the *Advertiser* didn't get it. It's this issue that the Majority Floor Leader did hit. When there's a complaint that does come before the Standards of Conduct Committee, the Committee decides whether to investigate by majority vote. And that's in 84-C 3. No doubt about it.

"But when they talked, further up, when they talked about subsection three of the new ethics section, if there were any other issues that needed to be brought before the Committee that don't deal with complaints, they have to get before the Committee somehow. And that's why we left the additional option that you as the Speaker or Madame President can say, 'We'd like you to look at this.' It could be issues regarding conflicts of interest. There needs to be a mechanism. And that's why it's there.

"But the main issue involves complaints that can be brought against any one of us, and is up before the Standards of Conduct Committee. It's the Committee that decides whether to review the complaint. Not you as Speaker or Madame President. I hope that's clear to everyone. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," passed Third Reading by a vote of 49 ayes, with Representatives Takai and Thielen being excused.

H.B. No. 840, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 840, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Third Reading by a vote of 40 ayes to 9 noes, with Representatives Belatti, Berg, Bertram, Carroll, Luke, Morita, Shimabukuro, Takumi and Wakai voting no, and with Representatives Takai and Thielen being excused.

At 8:45 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1909, HD 1
H.B. No. 840, HD 1

At 8:45 o'clock p.m., Representative Yamane requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 8:46 o'clock p.m.

At this time, the Chair announced:

"Members of the House. We are on page 35 and earlier this morning we decided to move HB No. 1456, HD 2 to the end of the calendar. We will now address it."

END OF CALENDAR

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 996) recommending that H.B. No. 1456, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1456, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, sir. I am in opposition to this measure. I think it's not a great idea to allow psychologists the privilege to prescribe psychotropic medications. I was in favor of this last year with certain conditions. I don't think those conditions have been met.

"I would just like to read to you a letter from Medical Director of the Koolauloa Community Health and Wellness Center. It's addressed to Representative Herkes and Members of the Committee on Consumer Protection and Commerce:

> Dear Members of the Committee: I am a family physician and the Medical Director of the Koolauloa Community Health and Wellness Center, a federally qualified health center in Kahuku. House Bill 1456, H.D. 1 makes several sweeping generalizations that implies that all primary care physician at federally qualified health centers are in favor of H.B. 1456, H.D. 1. This perception, like many other perceptions implied throughout the bill, is misleading.
>
> I am adamantly opposed to what is being proposed in this bill. The amount of education that psychologists are mandated to receive is inadequate to prepare them for the responsibility of prescribing potentially dangerous medications. I feel for the safety of my patients, my family and my friends if they should be prescribed medications by a psychologist trained in accordance with this bill.
>
> I am a member of the Primary Care Association of Hawaii and I have made it clear that I am adamantly opposed to this measure. As a primary care physician, I feel that my patients are safer and will get safer medication management if I prescribe their medication in collaboration with a psychiatrist. Please vote no on H.B. 1456, H.D. 1.
>
> Respectfully, Miriam Chang, M.D., Medical Director of the Koolauloa Community Health and Wellness Center.

"Thank you, very much."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, we've heard all of the arguments both sides of this bill, *ad nauseam*. We've been lobbied hard on both sides. A little earlier this evening we heard about a 'Chicken Little' bill, and if we pass it, the sky would fall in. Mr. Speaker, this is a 'Chicken Little' bill. If we pass it, the sky will fall in.

"Mr. Speaker, about six or seven, or eight years ago, we had another 'Chicken Little' bill to give prescriptive authority to APRNs and the argument was the sky is going to fall in if we passed that bill.

Well, the last time I looked the sky is still intact. And we gave much broader medical support to the rural underserved communities of our State. We had the same arguments when we gave the prescriptive authority to physician assistants. We had the same arguments that the sky will fall in when we gave anesthesia to dental hygienist. And we had the same arguments when we gave more authority to optometrists. I find it interesting that a few hours ago, we had a bill to expand prescriptive authority to APRNs giving them psychotropic medicines. There were 49 of us in this room and there wasn't a single word said about it. When I compare that to what happened seven years ago, I find that fascinating.

"What this bill does is it gives help to those underserved rural areas of the State in a very, very limited way. I think we're talking about maybe 6 psychologists, and if they go through training, maybe we're talking about 12. Mr. Speaker, we still have significant depression from the October 15th earthquake on the Big Island and they're not getting any help. And we're getting very little help from the medical community on that issue. What is the risk if we pass this and we give some support to those in rural underserved areas? Maybe we will save one suicide. That will be worth it. Maybe we can get some people off ice. Maybe we can solve some of those or help solve some of those serious depressions that we have in some of these very rural underserved areas of the State.

"Mr. Speaker, it was suggested that we recommit this bill because we weren't sure of the vote. I think that we deserve an up or down vote of this bill recorded so that the people in these rural underserved areas will have some idea whether or not this body wants to extend some help to them. I have enough confidence in the people of this House having served here for a number of years that they would vote their conscience, and I accept the vote up or down. Thank you."

Representative Yamane rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I need a ruling on a potential conflict. Part time, I work for a nonprofit organization and a clinical psychologist. He is my supervisor and the owner and operator of the program that I belong to. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"I am in support of House Bill 1456 HD2. I firmly believe that this bill introduced by the Representative from Kailua-Kona—a physician who knows first-hand the needs of people living in medically underserved areas of our islands—will help meet the urgent need for timely, appropriate and cost-effective therapeutic mental health services in rural areas.

"I represent a rural district in which the only medical facility is a federally qualified health center (FQHC), one of a handful of such centers throughout the State. It is also an area in which access to psychiatric care is severely limited. This bill, with its narrow focus, applies only to licensed psychologists practicing in an FQHC and in collaboration with the patient's primary physician.

"I have great respect for many of those representing medical, health and advocacy organizations who have testified and lobbied against this bill. Given that, primary doctors who agree with the opponents, or feel that the psychologist they are supervising is not qualified, can refuse to supervise the psychologist to prescribe. Just as in any other profession, a supervisor may exercise her judgment and decide that she lacks the expertise, philosophically disagrees, or has other reasons to refuse to take on the liability of supervising an individual.

"To deny the people of rural Hawaii the specialized care—and medication—that appropriately trained psychologists can provide is both unfair and unnecessary."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, in opposition. Putting this at the end of the calendar, I guess, I've had all my energy sucked up from the day before so it was a good idea to keep the arguments short on this bill.

"In the past, I've always taken each prescriptive authority bill by itself. Taking a look at it I was in support of the optometrist, and you know, looking at their education and everything. The APRN bill, I wasn't here seven years ago, but now I take a look at it and then look at the type of education that they have, and I'm voting with no problems with that bill.

"I take a look at this bill and I remember one of the things that was compelling a couple of years ago, or maybe it was even last year, was that there was a PDP program, which is a DOD, Department of Defense program. We said that we were going to have this checked out by LRB and ask them to study it. They did release a report, Mr. Speaker, that we requested of them. Basically what they say in their report and their recommendations about giving psychologists prescription authority is quoted and said that clinical training requirement should be no less rigorous than the psychopharmacology demonstration project program training model and a scope of practice and formulary for graduates that is no broader than limitations applied to PDP program graduates. This bill is nowhere near that rigorous training program, Mr. Speaker.

"Even though the PDP program had its strengths and weaknesses, the military decided to terminate the program. So, Mr. Speaker, I'm voting no because the very reason that I was using to support the psychologist prescribing is no longer there. From our own LRB study or report that was given us. Thank you very much, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I will be brief. This is in support of the bill and I'm in strong support. Members, two years ago we passed a bill from the House, or a similar bill. The problem remains. It didn't become law, it didn't pass the Senate. The fundamental question is: Are we or aren't we taking care of people who have mental health problems in our State, particularly in our underserved rural areas? All politics aside, and all advocates aside, are we taking care of those people? I have to tell you it is true, nothing has changed. So, if you ask yourself how you're going to vote, nothing has changed for the people that need this care.

"Two years ago, we begged and pleaded to pass a bill to get these people some help, people who have severe mental health illness that are in jeopardy of killing themselves, are in jeopardy of leaving families behind because they get no care. If two years had passed, and I could come here in good faith and tell you there are more psychiatrists in Ka'u, or other rural areas of Big Island, or other rural areas of the State, then I would sit down happily and say, we are getting people the mental health care that they have needed. But that hasn't happened. There are fewer psychiatrists in some of the most needy areas. Fewer. People get no care.

"Over and over again, I've heard compelling testimony about, 'Will it be safe?' But let me tell you something. Psychologists are extraordinarily well-educated people. They are extremely intelligent. They are intelligent like our nurses. They go and get prescription privileges. They are intelligent like our doctors. They go and get the same privileges. We are not proposing a watered-down version of

training. These people have gone through many years of training in psychology, training that doctors don't get because they study other fields, other disciplines. Doctors go and study medicine, but they get very little training in mental health. Meanwhile, we in the State of Hawaii have not provided care for them in the rural areas. Like I said, if solutions had come, it would be easy not to have this bill.

"Obviously, we're fighting over a very small piece of healthcare and very limited prescription privilege for a small, small group of people. But the reality is are we going to leave people in dire need and wait another two years, and another, and another. This bill has gone way back in time. Nearly a decade. People have been suffering with severe depression. People have been suffering with the potential for suicide and we haven't done anything. We just haven't. The treatment and the options have receded for our most needy people. There has been no solution. Therefore, it is simply give 'lip service' when people come and tell us they are working on the problem. 'We'll get back to you in another year. We'll get back to you in two years.'

"We've had every task force. We've had the study, but we haven't had the care. And I really urge you to go down the road and deliver care for your constituents that have depression, that have desperation because they're relying on you for a solution and not for a delay. Thank you, colleagues."

Representative Chong rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chong's written remarks are as follows:

"Mr. Speaker, I am in support of HB 1456 with reservations. Although I voted no last year due to form and procedural reasons, I would like to continue discussion on this bill in hopes that some resolution can be achieved for the benefit of those who need psychotropic medications in remote areas."

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. The last time this bill appeared before us, I voted no because I had many serious concerns. In the meantime, in looking at how the bill has evolved, I would encourage our colleagues to consider voting for this out of respect for the constituents of our Neighbor Islands and underserved communities of our colleagues. But more importantly because I think that the effort to move forward and make this a bill a work in progress. Thank you."

Representative Karamatsu rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support with strong reservations.

"I have reservations on House bill 1456 House Draft 2, which would allow psychologists practicing in licensed health clinics in federally designated medically underserved areas or mental health professional shortage areas to prescribe psychotropic medications. I believe the bill does not ensure patient safety because the training required for psychologists in this measure is well below the training psychiatrists go through in undergraduate studies and medical school and the training required by the Department of Defense Psychologist Training Model.

"The Department of Defense Psychologist Training Model allowed psychologists to prescribe psychotropic medications, however, the program ended because the program was found to be unnecessary and costly. In comparing the Department of Defense Psychologist Training Model with the program in this bill, there is a big difference in the requirements. The differences are as follows:

Department of Defense Psychologist Training Model:

- 3 years full-time training program (over 6,000 hours);
- 2 years full-time classroom training in a medical school and hospital;
- 1 year of full-time clinical training under the supervision of a psychiatrist;
- Only allowed to prescribe to 18 to 65 year olds; and
- Not allowed to prescribe to patients with any medical complication.

House Bill 1456 House Draft 2:

- Eleven and one-half weeks of classroom (450 hours);
- No full-time classroom training required;
- No full-time clinical training and no hospital training;
- Only required to see 100 patients within 1 year under physician supervision; and
- Allowed to prescribe to all ages and to patients with heart disease, cancer, diabetes, substance abusers, etc.

"Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker and Members, I vote with reservations. I was originally going to vote no, but in due respect to the Chairman, I will continue to look into the psychiatrist versus the psychologist issue, but I need to still be more convinced that the psychologist can provide a solution.

"I'm well aware the good doctor has mentioned that there are areas in the State that are underserved. And we should certainly try to meet that need. The question that I have, and I'm sure the doctor's much more learned than I am, is that for one that doesn't have any medical training, would that person with some minimum training of 450 hours be able to do at least some of the work that a psychiatrist can do?

"So, this is what I need to see in the next month or two as this moves along. And I certainly will give every benefit of the doubt to the Chairman and to the good doctor until I can be proven wrong, which I hope I can. Thank you very much."

Representative Tokioka rose in support of the measure and asked that the remarks of Representatives Herkes and Green be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Yamashita rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you, Speaker. In opposition. I want to believe that this bill will evolve into something that I will be able to support. I'm not satisfied that we've done everything we could to protect the public to ensure that the patients that will be the beneficiaries of this measure will be safe. The 450 hours and 180 hours that is mandated in the bill right now is insufficient. I checked with even the strongest proponents of this particular measure, a doctor from Waianae, and he agrees it should be increased. These hours should be increased.

"The problem in the rural areas is really much more complicated, than what we're hearing here today. The federally qualified health centers do not actually employ psychiatrists, that's the reason why we don't have psychiatrists there. I don't understand why the patients in those rural areas, at the federally qualified health centers do not have these kinds of services that they deserve. They can have

psychologists to take care of their mental health needs. That's already a given. They are there. They are present in those centers, they will give them mental healthcare. The only thing that they really can't do is to give them pharmacological help, to dispense medication to them directly. But that can also be done in another way. It can be done by a doctor that's in residence there. There's always a primary physician at those centers.

"So, I'm very uncomfortable that we're doing this in such a way that we're trying to push this out when it's not even ready. And we're really saying that there's no help for these individuals, when really there is. It's just a different way of doing it. We cannot say that they're not getting help when they have a psychologist employed. We cannot say that they're some psychiatrist if they don't want to employ them. We cannot say that they are not getting medication when there are doctors there that are able to prescribe this. The truth is even medical doctors who are not psychiatrists are afraid to dispense medications such as this.

"I give a lot of credit to the psychologists who are stepping forward and saying, 'Hey, let's fill this void that the medical doctors don't want to do.' But, this is the Legislature. We're entitled to our own opinions. We're entitled to the kind of information that will satisfy us to help us vote intelligently. This particular Representative, Mr. Speaker, is not satisfied that we've done everything possible to ensure the safety of the patients out there who need our help. We cannot say, 'Yes, this is the frontline. It's good enough. Yes, this is MASH. This is Korea and we can do whatever we can, right here.'

"This is not really Korea. This is not really the frontline. This is the rural area where we have psychologists already working to benefit the mental health of the patients there, and a physician always available to prescribe medication. Let's not short circuit it in this way. Thank you."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm changing my vote from a no, to a yes with reservations in consideration of the needs of my colleagues from the Neighbor Islands. I don't believe that they should be able to prescribe, but I hear them and I feel them, so therefore, I yield to them. Thank you."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"I rise with reservations. I support both Chairs, but also I'm against all these drugs. But I have to support them, anyway. Thank you."

Representative McKelvey rose in support of the measure with reservations, and asked that the remarks of Representative Souki be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations and I just want to clarify a comment that was made that the Department of Defense has ended their program. My understanding is that they have restarted their program to allow psychologists to begin prescribing because of the many problems that our veterans are coming back with from the many wars that they're defending. I think that we need this very limited bill and that it will save lives. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with written comments. When it comes to the different parts of the body, in my conversations with psychiatrists and with my conversations with people who have partaken of their services, thinking long and hard, there's no mistake neuro surgeons have so much that they have to learn. It's very difficult area, neurosurgery.

"Similarly, psychiatrists, when it comes to the brain, that is a very unique part of the body. You know, there's orthopedics, there's this, there's that. It's a very unique part of the body. It's a very intricate muscle of sorts. And with the different synapses, anything that's in it, I can understand and I thoroughly agree with the Representative from Waipahu, that how some doctors may not even want to. They don't feel comfortable with prescribing these types of drugs because a little bit too much. I look at the list of some of these drugs. I've seen some of these drugs. I know people who use these drugs. If you prescribe too much of some of these drugs, you can have an adverse effect.

"I guess from my own personal experience, I had one of my best friends commit suicide. She succeeded in committing suicide. It's not an easy thing prescribing drugs and sometimes if it's not quite right, they have this feeling of euphoria. They think they're okay and then they crash. So, I agree with wanting to save lives. I just have too much respect for up here to be okay with passing this bill."

Representative Ching's written remarks are as follows:

"I strongly oppose H.B. 1456--Relating to Psychologists. While I can understand that there is a great need for psychiatric care in rural areas that is not currently met, and that HB 1456 seeks to remedy this need, it does not assure that the proposed prescribers will be able to prescribe safely or that they will serve in rural areas. A comprehensive medical education is necessary to safely prescribe psychotropic medications. Psychologists are trained to diagnose and treat mental diseases and disorders by behavioral and psychotherapeutic interventions, not medical ones. Allowing psychologists to prescribe medications without adequate medical training will only serve to degrade the level of medical care in Hawaii.

"Most importantly, mentally ill patients may be prone to suicide ideations and one common means of suicide is overdosing on prescription medications. The practitioner must understand, acknowledge, and be aware that intentional or accidental overdose will occur; they must understand the treatment protocols for each medication and the sometimes obscure side effects of each medication. There is clear and present danger in an attempt to rapidly educate clinical psychologists and allow prescriptive privilege after a short period of study. Allowing psychologists to prescribe medications puts patients' safety at risk."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1456, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Third Reading by a vote of 30 ayes to 18 noes, with Representatives Awana, Brower, Chang, Ching, Evans, Finnegan, Har, Ito, Lee, Magaoay, Manahan, Marumoto, Meyer, Pine, Sonson, Tsuji, Ward and Yamane voting no, and with Representatives Nakasone, Takai and Thielen being excused.

At 9:11 o'clock p.m., the Chair noted that H.B. No. 1456, HD 2, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 34 through 40) and concurrent resolution (H.C.R No. 54 through 60) were referred to Printing and further action was deferred:

H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," was jointly offered by Representatives Yamashita, Chong, Green, Herkes, Karamatsu, Shimabukuro and Yamane.

H.R. No. 35, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING PEACE EDUCATION INTO THE SCHOOL CURRICULUM," was jointly offered by Representatives Takamine and Berg.

H.R. No. 36, entitled: "HOUSE RESOLUTION RECOGNIZING MARCH 2007 AS NATIONAL PROFESSIONAL SOCIAL WORK MONTH," was jointly offered by Representatives Shimabukuro and Rhoads.

H.R. No. 37, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PLAN SUFFICIENT ON-CAMPUS PARKING AT KAPIOLANI COMMUNITY COLLEGE," was jointly offered by Representatives Marumoto, Chang, Ching, Finnegan, Nishimoto, Pine, Shimabukuro, Takai, Cabanilla and Wakai.

H.R. No. 38, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A STADIUM ON OAHU," was jointly offered by Representatives Ito and Chong.

H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING ALL BRANCHES OF THE UNITED STATES GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE WITHIN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was jointly offered by Representatives Bertram, Berg, Carroll, Mizuno, Nishimoto, Takai, Finnegan, Ito, Takumi and Wakai.

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 18, 2007, AS SHARON MABE DAY IN THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Cabanilla, Hanohano, Nishimoto, Sonson, Awana, Belatti, Bertram, Brower, Ching, Lee, Magaoay, Manahan, Shimabukuro, Souki, Takamine, Tsuji and Waters.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," was jointly offered by Representatives Yamashita, Chong, Green, Herkes, Karamatsu, Shimabukuro and Yamane.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING PEACE EDUCATION INTO THE SCHOOL CURRICULUM," was jointly offered by Representatives Takamine and Berg.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PLAN SUFFICIENT ON-CAMPUS PARKING AT KAPIOLANI COMMUNITY COLLEGE," was jointly offered by Representatives Marumoto, Chang, Ching, Finnegan, Nishimoto, Shimabukuro, Takai, Cabanilla and Wakai.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A STADIUM ON OAHU," was jointly offered by Representatives Ito and Chong.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL BRANCHES OF THE UNITED STATES GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE WITHIN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was jointly offered by Representatives Bertram, Berg, Mizuno, Nishimoto, Takai, Finnegan, Ito, Takumi and Wakai.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE THE HALEAKALA TRAIL AVAILABLE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Bertram, Brower, Carroll, Hanohano, Ito, Mizuno, Nishimoto, Rhoads and Wakai.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 18, 2007, AS SHARON MABE DAY IN THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Cabanilla, Hanohano, Nishimoto, Sonson, Awana, Belatti, Bertram, Brower, Ching, Lee, Magaoay, Manahan, Shimabukuro, Souki, Takamine, Tsuji and Waters.

ANNOUNCEMENTS

Representative Evans: "Thank you, Mr. Speaker. Colleagues, I want to invite you tomorrow to the Fifth Annual Historic Preservation Awareness Day on the Second Floor of the Capitol. We're going to have on the *lanai* over 35 exhibitors, probably a lot of people you know dealing with historic preservation. I invite you to come by. We also have guest speakers from 1:30 to 3:30, and you're all invited tomorrow evening at 5:30 at Washington Place for a reception. Please join us. Thank you."

Representative Caldwell: "Mr. Speaker, I don't have so much an announcement as just expressing thanks. Today was the first time the House tried a Consent Calendar and I think we can all be proud of the fact that we did move 185 or 186 I think, bills over to the Senate which become vehicles at the time of Conference. I think the hope of some of us was that we'd finish the rest within five or six hours, but as usual, I think we filled the vacuum with some good debate.

"In the end though, we have to look at the Clerk's Office, starting with Pat Mau-Shimizu and her whole staff, staying and working hard yesterday, late into the evening. And our own staffs, pulling out the bills that were not part of the Consent Calendar. So, I think we owe a lot of thanks to both the Clerk's Office and our staffs. And to the Minority for cooperating on the Consent Calendar. And we say thanks to our Sgt.-at-Arms, too. You are correct, Mr. Speaker. And our Printshop operators. Anyone else? And the Capitol Guards. Thank you, very much."

Representative Meyer: "Thank you, Mr. Speaker. Since this is the first time we've operated this way with the Consent Calendar and Ordinary Calendar, when the Clerk was kind enough to give us a primer on it, she did say that we should ask for a recess before we actually shut down for the night so that we can make sure that everybody has made their request to insert remarks."

Speaker Say: "Has everyone submitted their written comments? Because earlier this morning, the Chair did state for the record that your written comments should be submitted before the adjournment this evening. This is for the Consent Calendar and the Ordinary Calendar."

Representative Meyer: "That's what I was asking for. That we would have that opportunity to do that now, just in the next few minutes before we adjourn for the night."

Speaker Say: "The Chair will allow you to submit it right after we adjourn this evening. But is has to be this evening. Thank you very much."

Representative Tokioka: "Thank you, Mr. Speaker. This is the first opportunity that we've had since Girls' Day, so on behalf of all the men in the House, we'd like to wish all the women in the House, all the girls in the House, Happy Girls Day."

Representative Ward: "Mr. Speaker. I take particular pride in seconding that motion as the only male of the Caucus of this side."

ADJOURNMENT

At 9:15 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 2:00 o'clock p.m., Thursday, March 8, 2007. (Representative Nakasone, Takai and Thielen were excused.)

HOUSE COMMUNICATION

"March 6, 2007

The Honorable Linda Lingle
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following House Bill, copies of which are attached hereto:

H.B. No. 1023, entitled:

"PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS."

Said measure passed Third Reading in the Hawaii House of Representatives on this date.

Respectfully,

/s/ P. Mau Shimizu
PATRICIA MAU-SHIMIZU
Chief Clerk

Enclosure

CC: Carol Taniguchi, Clerk of the Senate
Dwayne Yoshina, Chief Election Officer"

TWENTY-SEVENTH DAY

Thursday, March 8, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 2:03 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered in song by Reverend Kevin Kuniyuki of Wahiawa Hongwanji, accompanied by Representative Marcus R. Oshiro, after which the Roll was called showing all members present with the exception of Representatives Herkes, Takamine and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twenty-First, Twenty-Second and Twenty-Third Days were approved. (Representatives Herkes, Takamine and Thielen were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 285 through 290) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 285, dated March 2, 2007, transmitting the Proclamation proclaiming March 1, 2007 as Bikini Atoll Survivor Remembrance Day.

Gov. Msg. No. 286, dated March 5, 2007, transmitting the State Budget – Energy Reduction Efforts report prepared by the Department of Education.

Gov. Msg. No. 287, dated March 5, 2007, transmitting the State Educational Facilities Improvement Special Fund report prepared by the Department of Education.

Gov. Msg. No. 288, dated March 5, 2007, transmitting the Relating to Energy report prepared by the Department of Education in response to HB 2175, HD2, SD2, CD1, Section 11, Act 96, SLH 2006.

Gov. Msg. No. 289, dated March 5, 2007, transmitting the Relating to Energy report prepared by the Department of Education in response to HB 2175, HD2, SD2, CD1, Section 2, Act 96, SLH 2006.

Gov. Msg. No. 290, dated March 7, 2007, transmitting the 2006 Report of the Commission to Promote Uniform Legislation of the Department of the Attorney General.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 46 through 422) were received and announced by the Clerk:

Sen. Com. No. 46, transmitting S.B. No. 11, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 47, transmitting S.B. No. 12, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 48, transmitting S.B. No. 17, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 49, transmitting S.B. No. 31, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 50, transmitting S.B. No. 46, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 51, transmitting S.B. No. 49, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 52, transmitting S.B. No. 50, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIDS RESEARCH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 53, transmitting S.B. No. 51, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 54, transmitting S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 55, transmitting S.B. No. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 56, transmitting S.B. No. 56, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 57, transmitting S.B. No. 58, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 58, transmitting S.B. No. 60, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN TIME SHARE PLANS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 59, transmitting S.B. No. 69, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 60, transmitting S.B. No. 76, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 61, transmitting S.B. No. 79, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 62, transmitting S.B. No. 80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 63, transmitting S.B. No. 94, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 64, transmitting S.B. No. 98, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 65, transmitting S.B. No. 100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 66, transmitting S.B. No. 138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 67, transmitting S.B. No. 148, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 68, transmitting S.B. No. 152, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 69, transmitting S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL DISASTER PREPAREDNESS IN HEALTH CARE FACILITIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 70, transmitting S.B. No. 156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOTING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 71, transmitting S.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 72, transmitting S.B. No. 163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 73, transmitting S.B. No. 170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 74, transmitting S.B. No. 188, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 75, transmitting S.B. No. 216, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL GOODS EXCISE TAX CREDIT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 76, transmitting S.B. No. 227, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 77, transmitting S.B. No. 228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 78, transmitting S.B. No. 230, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP METAL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 79, transmitting S.B. No. 238, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 80, transmitting S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 81, transmitting S.B. No. 248, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE COMMISSION ON FATHERHOOD," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 82, transmitting S.B. No. 249, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 83, transmitting S.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 84, transmitting S.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 85, transmitting S.B. No. 323, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 86, transmitting S.B. No. 331, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DATA AND INFORMATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 87, transmitting S.B. No. 424, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 88, transmitting S.B. No. 427, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 89, transmitting S.B. No. 546, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 90, transmitting S.B. No. 586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 91, transmitting S.B. No. 597, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 92, transmitting S.B. No. 600, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 93, transmitting S.B. No. 603, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 94, transmitting S.B. No. 608, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 95, transmitting S.B. No. 610, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 96, transmitting S.B. No. 613, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 97, transmitting S.B. No. 620, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF

SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 98, transmitting S.B. No. 625, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 99, transmitting S.B. No. 639, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 100, transmitting S.B. No. 642, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 101, transmitting S.B. No. 644, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 102, transmitting S.B. No. 646, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY LEFT IN A DANGEROUS CONDITION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 103, transmitting S.B. No. 651, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 104, transmitting S.B. No. 662, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 105, transmitting S.B. No. 663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 106, transmitting S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR SACRED HEARTS ACADEMY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 107, transmitting S.B. No. 675, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE HAWAII CONSTITUTION, TO CHANGE THE APPOINTMENT OF THE TAX REVIEW COMMISSION TO EVERY TEN YEARS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 108, transmitting S.B. No. 676, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 109, transmitting S.B. No. 677, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 110, transmitting S.B. No. 678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 111, transmitting S.B. No. 679, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 112, transmitting S.B. No. 683, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 113, transmitting S.B. No. 686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 114, transmitting S.B. No. 688, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 115, transmitting S.B. No. 691, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF SCHOOL CHILDREN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 116, transmitting S.B. No. 696, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 117, transmitting S.B. No. 704, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 118, transmitting S.B. No. 707, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A NEW MARKETS TAX CREDIT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 119, transmitting S.B. No. 709, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 120, transmitting S.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 121, transmitting S.B. No. 713, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 122, transmitting S.B. No. 718, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 123, transmitting S.B. No. 732, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE LIFEGUARDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 124, transmitting S.B. No. 733, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 125, transmitting S.B. No. 750, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 126, transmitting S.B. No. 755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 127, transmitting S.B. No. 768, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 128, transmitting S.B. No. 769, entitled: "A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 129, transmitting S.B. No. 781, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 130, transmitting S.B. No. 784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 131, transmitting S.B. No. 795, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 132, transmitting S.B. No. 796, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 133, transmitting S.B. No. 798, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 134, transmitting S.B. No. 810, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 135, transmitting S.B. No. 813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 136, transmitting S.B. No. 816, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 137, transmitting S.B. No. 820, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 138, transmitting S.B. No. 823, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 139, transmitting S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 140, transmitting S.B. No. 837, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 141, transmitting S.B. No. 851, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS AND HISTORIC AND CULTURAL SITES IN THE DISTRICT OF KOOLAULOA," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 142, transmitting S.B. No. 856, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 143, transmitting S.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 144, transmitting S.B. No. 867, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 145, transmitting S.B. No. 870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 146, transmitting S.B. No. 871, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 147, transmitting S.B. No. 880, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 148, transmitting S.B. No. 885, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 149, transmitting S.B. No. 890, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 150, transmitting S.B. No. 891, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 151, transmitting S.B. No. 892, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 152, transmitting S.B. No. 896, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 153, transmitting S.B. No. 897, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 154, transmitting S.B. No. 898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY TAX INCENTIVES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 155, transmitting S.B. No. 905, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 156, transmitting S.B. No. 907, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 157, transmitting S.B. No. 914, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 158, transmitting S.B. No. 917, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 159, transmitting S.B. No. 920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 160, transmitting S.B. No. 921, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION RECORDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 161, transmitting S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 162, transmitting S.B. No. 932, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 163, transmitting S.B. No. 933, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 164, transmitting S.B. No. 938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 165, transmitting S.B. No. 939, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 166, transmitting S.B. No. 940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT 1920, AS AMENDED," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 167, transmitting S.B. No. 942, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 168, transmitting S.B. No. 946, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 169, transmitting S.B. No. 952, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 170, transmitting S.B. No. 957, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 171, transmitting S.B. No. 959, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 172, transmitting S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 173, transmitting S.B. No. 966, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 174, transmitting S.B. No. 967, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 175, transmitting S.B. No. 970, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 176, transmitting S.B. No. 971, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 177, transmitting S.B. No. 973, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 178, transmitting S.B. No. 979, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUICIDE PREVENTION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 179, transmitting S.B. No. 987, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 180, transmitting S.B. No. 988, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 181, transmitting S.B. No. 990, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 182, transmitting S.B. No. 992, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 183, transmitting S.B. No. 993, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 184, transmitting S.B. No. 1003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 185, transmitting S.B. No. 1004, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 186, transmitting S.B. No. 1006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 187, transmitting S.B. No. 1007, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 188, transmitting S.B. No. 1008, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 189, transmitting S.B. No. 1010, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED PUBLIC ACCOUNTANTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 190, transmitting S.B. No. 1011, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE KEY INFORMATION ACCESS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 191, transmitting S.B. No. 1016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 192, transmitting S.B. No. 1017, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 193, transmitting S.B. No. 1026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 194, transmitting S.B. No. 1028, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 195, transmitting S.B. No. 1030, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 196, transmitting S.B. No. 1034, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 197, transmitting S.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 198, transmitting S.B. No. 1046, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 199, transmitting S.B. No. 1048, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 200, transmitting S.B. No. 1052, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 201, transmitting S.B. No. 1053, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 202, transmitting S.B. No. 1060, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 203, transmitting S.B. No. 1063, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 204, transmitting S.B. No. 1066, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 205, transmitting S.B. No. 1068, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 206, transmitting S.B. No. 1090, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 207, transmitting S.B. No. 1092, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 208, transmitting S.B. No. 1093, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN HEALTH CONSENSUS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 209, transmitting S.B. No. 1094, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 210, transmitting S.B. No. 1101, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 211, transmitting S.B. No. 1103, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 212, transmitting S.B. No. 1106, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON THE STATUS OF WOMEN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 213, transmitting S.B. No. 1110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 214, transmitting S.B. No. 1112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 215, transmitting S.B. No. 1113, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING PERSONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 216, transmitting S.B. No. 1115, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 217, transmitting S.B. No. 1116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL APPLICATION FEES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 218, transmitting S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 219, transmitting S.B. No. 1131, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 220, transmitting S.B. No. 1133, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 221, transmitting S.B. No. 1136, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 222, transmitting S.B. No. 1143, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 223, transmitting S.B. No. 1145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIR AND MAINTENANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 224, transmitting S.B. No. 1146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 225, transmitting S.B. No. 1152, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 226, transmitting S.B. No. 1154, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 227, transmitting S.B. No. 1156, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 228, transmitting S.B. No. 1158, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 229, transmitting S.B. No. 1161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 230, transmitting S.B. No. 1163, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN'S TRANSITION TO ADULTHOOD," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 231, transmitting S.B. No. 1170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 232, transmitting S.B. No. 1174, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 233, transmitting S.B. No. 1176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 234, transmitting S.B. No. 1177, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GLOBAL YOUTH CENTER IN HAWAII," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 235, transmitting S.B. No. 1182, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 236, transmitting S.B. No. 1184, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 237, transmitting S.B. No. 1191, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 238, transmitting S.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 239, transmitting S.B. No. 1210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 240, transmitting S.B. No. 1214, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 241, transmitting S.B. No. 1219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 242, transmitting S.B. No. 1221, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 243, transmitting S.B. No. 1222, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 244, transmitting S.B. No. 1228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL PRESERVATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 245, transmitting S.B. No. 1229, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCRAP DEALERS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 246, transmitting S.B. No. 1234, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 247, transmitting S.B. No. 1236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 248, transmitting S.B. No. 1249, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 249, transmitting S.B. No. 1253, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION CONTRACTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 250, transmitting S.B. No. 1260, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 251, transmitting S.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 252, transmitting S.B. No. 1281, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 253, transmitting S.B. No. 1282, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 254, transmitting S.B. No. 1283, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 255, transmitting S.B. No. 1284, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 256, transmitting S.B. No. 1285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 257, transmitting S.B. No. 1308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 258, transmitting S.B. No. 1311, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 259, transmitting S.B. No. 1312, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 260, transmitting S.B. No. 1313, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 261, transmitting S.B. No. 1315, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 262, transmitting S.B. No. 1332, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 263, transmitting S.B. No. 1334, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 264, transmitting S.B. No. 1337, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 265, transmitting S.B. No. 1339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 266, transmitting S.B. No. 1342, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 267, transmitting S.B. No. 1343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 268, transmitting S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 269, transmitting S.B. No. 1350, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 270, transmitting S.B. No. 1352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 271, transmitting S.B. No. 1361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 272, transmitting S.B. No. 1364, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 273, transmitting S.B. No. 1365, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 274, transmitting S.B. No. 1370, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 275, transmitting S.B. No. 1372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF FINANCING AGREEMENTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 276, transmitting S.B. No. 1380, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 277, transmitting S.B. No. 1381, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 278, transmitting S.B. No. 1382, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 279, transmitting S.B. No. 1383, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 280, transmitting S.B. No. 1384, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 281, transmitting S.B. No. 1385, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 282, transmitting S.B. No. 1386, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 283, transmitting S.B. No. 1387, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 284, transmitting S.B. No. 1388, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 285, transmitting S.B. No. 1389, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 286, transmitting S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 287, transmitting S.B. No. 1391, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR

COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 288, transmitting S.B. No. 1392, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 289, transmitting S.B. No. 1398, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 290, transmitting S.B. No. 1400, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 291, transmitting S.B. No. 1402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 292, transmitting S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 293, transmitting S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 294, transmitting S.B. No. 1410, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 295, transmitting S.B. No. 1412, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 296, transmitting S.B. No. 1414, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 297, transmitting S.B. No. 1418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 298, transmitting S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE PRICE GOUGING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 299, transmitting S.B. No. 1421, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 460, HAWAII REVISED STATUTES, OSTEOPATHY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 300, transmitting S.B. No. 1422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 301, transmitting S.B. No. 1423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 302, transmitting S.B. No. 1424, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 303, transmitting S.B. No. 1425, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 304, transmitting S.B. No. 1426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT PROGRAM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 305, transmitting S.B. No. 1427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE AGENCY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 306, transmitting S.B. No. 1428, entitled: "A BILL FOR AN ACT RELATING TO VETERANS' SERVICES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 307, transmitting S.B. No. 1431, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 308, transmitting S.B. No. 1438, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 309, transmitting S.B. No. 1440, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 310, transmitting S.B. No. 1441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 311, transmitting S.B. No. 1442, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 312, transmitting S.B. No. 1447, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 313, transmitting S.B. No. 1448, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 314, transmitting S.B. No. 1450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 315, transmitting S.B. No. 1454, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 316, transmitting S.B. No. 1456, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR

THE ADULT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 317, transmitting S.B. No. 1457, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 318, transmitting S.B. No. 1458, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 319, transmitting S.B. No. 1459, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 320, transmitting S.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 321, transmitting S.B. No. 1463, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 322, transmitting S.B. No. 1481, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERVENTION FOR SUBSTANCE ABUSE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 323, transmitting S.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 324, transmitting S.B. No. 1489, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 325, transmitting S.B. No. 1491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 326, transmitting S.B. No. 1497, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 327, transmitting S.B. No. 1499, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 328, transmitting S.B. No. 1500, S.D. 3, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 329, transmitting S.B. No. 1504, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FILING OF TAX RETURNS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 330, transmitting S.B. No. 1515, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 331, transmitting S.B. No. 1518, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 332, transmitting S.B. No. 1520, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 333, transmitting S.B. No. 1523, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 334, transmitting S.B. No. 1526, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 335, transmitting S.B. No. 1527, entitled: "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 336, transmitting S.B. No. 1528, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 337, transmitting S.B. No. 1529, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 338, transmitting S.B. No. 1573, entitled: "A BILL FOR AN ACT RELATING TO ARSON," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 339, transmitting S.B. No. 1585, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC SITES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 340, transmitting S.B. No. 1603, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 341, transmitting S.B. No. 1612, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 342, transmitting S.B. No. 1613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 343, transmitting S.B. No. 1614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 344, transmitting S.B. No. 1617, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 345, transmitting S.B. No. 1629, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF

REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 346, transmitting S.B. No. 1635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 347, transmitting S.B. No. 1636, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 348, transmitting S.B. No. 1639, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 349, transmitting S.B. No. 1642, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 350, transmitting S.B. No. 1644, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 351, transmitting S.B. No. 1654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 352, transmitting S.B. No. 1662, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 353, transmitting S.B. No. 1672, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 354, transmitting S.B. No. 1673, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 355, transmitting S.B. No. 1674, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 356, transmitting S.B. No. 1675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 357, transmitting S.B. No. 1676, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 358, transmitting S.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 359, transmitting S.B. No. 1678, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL REIMBURSEMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 360, transmitting S.B. No. 1688, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 361, transmitting S.B. No. 1689, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 362, transmitting S.B. No. 1697, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF "CONTRACTOR" UNDER THE CONTRACTOR REPAIR ACT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 363, transmitting S.B. No. 1704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 364, transmitting S.B. No. 1705, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 365, transmitting S.B. No. 1711, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 366, transmitting S.B. No. 1712, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 367, transmitting S.B. No. 1717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 368, transmitting S.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 369, transmitting S.B. No. 1720, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 370, transmitting S.B. No. 1726, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 371, transmitting S.B. No. 1728, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A TWO-YEAR HEPATITIS C DEMONSTRATION PROJECT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 372, transmitting S.B. No. 1750, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 373, transmitting S.B. No. 1756, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 374, transmitting S.B. No. 1779, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 375, transmitting S.B. No. 1780, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 376, transmitting S.B. No. 1793, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 377, transmitting S.B. No. 1802, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 378, transmitting S.B. No. 1803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 379, transmitting S.B. No. 1804, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 380, transmitting S.B. No. 1805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 381, transmitting S.B. No. 1816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 382, transmitting S.B. No. 1818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 383, transmitting S.B. No. 1820, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 384, transmitting S.B. No. 1823, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 385, transmitting S.B. No. 1833, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 386, transmitting S.B. No. 1837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 387, transmitting S.B. No. 1838, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 388, transmitting S.B. No. 1839, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX SYSTEMS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 389, transmitting S.B. No. 1840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 390, transmitting S.B. No. 1848, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 391, transmitting S.B. No. 1853, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 392, transmitting S.B. No. 1877, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 393, transmitting S.B. No. 1882, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 394, transmitting S.B. No. 1891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 395, transmitting S.B. No. 1916, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 396, transmitting S.B. No. 1917, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 397, transmitting S.B. No. 1918, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 398, transmitting S.B. No. 1919, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ASSET BUILDING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 399, transmitting S.B. No. 1920, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 400, transmitting S.B. No. 1922, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 401, transmitting S.B. No. 1923, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 402, transmitting S.B. No. 1924, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 403, transmitting S.B. No. 1925, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 404, transmitting S.B. No. 1926, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 405, transmitting S.B. No. 1928, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 406, transmitting S.B. No. 1929, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 407, transmitting S.B. No. 1931, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 408, transmitting S.B. No. 1932, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 409, transmitting S.B. No. 1933, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 410, transmitting S.B. No. 1934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 411, transmitting S.B. No. 1935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 412, transmitting S.B. No. 1937, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 413, transmitting S.B. No. 1943, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 414, transmitting S.B. No. 1946, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 415, transmitting S.B. No. 1947, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 416, transmitting S.B. No. 1948, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 417, transmitting S.B. No. 1950, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 418, transmitting S.B. No. 1961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 419, transmitting S.B. No. 1962, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 420, transmitting S.B. No. 1969, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 421, transmitting S.B. No. 1988, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HONEY," which passed Third Reading in the Senate on March 6, 2007.

Sen. Com. No. 422, transmitting S.B. No. 1991, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," which passed Third Reading in the Senate on March 6, 2007.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Herkes, Takamine and Thielen were excused.)

S.B. No. 11, S.D. 3
S.B. No. 12, S.D. 2
S.B. No. 17, S.D. 2
S.B. No. 31, S.D. 1
S.B. No. 46, S.D. 1
S.B. No. 49, S.D. 1
S.B. No. 50, S.D. 1
S.B. No. 51, S.D. 2
S.B. No. 53
S.B. No. 55, S.D. 1
S.B. No. 56, S.D. 1
S.B. No. 58, S.D. 2
S.B. No. 60, S.D. 1
S.B. No. 69, S.D. 2
S.B. No. 76, S.D. 2
S.B. No. 79, S.D. 2
S.B. No. 80, S.D. 2
S.B. No. 94, S.D. 2
S.B. No. 98, S.D. 1
S.B. No. 100, S.D. 1
S.B. No. 138, S.D. 1
S.B. No. 148, S.D. 2
S.B. No. 152, S.D. 2
S.B. No. 153, S.D. 1
S.B. No. 156, S.D. 2
S.B. No. 162, S.D. 1
S.B. No. 163, S.D. 1
S.B. No. 170, S.D. 1
S.B. No. 188, S.D. 2
S.B. No. 216, S.D. 1
S.B. No. 227, S.D. 1
S.B. No. 228, S.D. 1
S.B. No. 230, S.D. 1
S.B. No. 238, S.D. 2
S.B. No. 247, S.D. 1
S.B. No. 248, S.D. 2
S.B. No. 249
S.B. No. 257, S.D. 1
S.B. No. 260
S.B. No. 323, S.D. 2
S.B. No. 331, S.D. 3
S.B. No. 424, S.D. 2
S.B. No. 427, S.D. 2
S.B. No. 546, S.D. 2
S.B. No. 586, S.D. 1
S.B. No. 597, S.D. 2
S.B. No. 600
S.B. No. 603, S.D. 2
S.B. No. 608, S.D. 2
S.B. No. 610, S.D. 1
S.B. No. 613, S.D. 2
S.B. No. 620, S.D. 1
S.B. No. 625, S.D. 2
S.B. No. 639, S.D. 2
S.B. No. 642, S.D. 2
S.B. No. 644, S.D. 3
S.B. No. 646
S.B. No. 651, S.D. 2
S.B. No. 662, S.D. 2
S.B. No. 663, S.D. 1
S.B. No. 664, S.D. 1
S.B. No. 675
S.B. No. 676, S.D. 1
S.B. No. 677, S.D. 2
S.B. No. 678, S.D. 1
S.B. No. 679, S.D. 2
S.B. No. 683, S.D. 2
S.B. No. 686, S.D. 1
S.B. No. 688, S.D. 2
S.B. No. 691, S.D. 2
S.B. No. 696, S.D. 2
S.B. No. 704
S.B. No. 707, S.D. 2
S.B. No. 709, S.D. 2
S.B. No. 711
S.B. No. 713, S.D. 2

S.B. No. 718, S.D. 2
S.B. No. 732, S.D. 2
S.B. No. 733, S.D. 1
S.B. No. 750, S.D. 3
S.B. No. 755, S.D. 1
S.B. No. 768, S.D. 1
S.B. No. 769
S.B. No. 781, S.D. 2
S.B. No. 784, S.D. 1
S.B. No. 795, S.D. 2
S.B. No. 796, S.D. 2
S.B. No. 798, S.D. 3
S.B. No. 810, S.D. 2
S.B. No. 813, S.D. 1
S.B. No. 816, S.D. 2
S.B. No. 820, S.D. 1
S.B. No. 823, S.D. 1
S.B. No. 835, S.D. 1
S.B. No. 837, S.D. 2
S.B. No. 851, S.D. 1
S.B. No. 856, S.D. 1
S.B. No. 866, S.D. 1
S.B. No. 867, S.D. 1
S.B. No. 870, S.D. 1
S.B. No. 871, S.D. 2
S.B. No. 880, S.D. 2
S.B. No. 885, S.D. 2
S.B. No. 890, S.D. 1
S.B. No. 891
S.B. No. 892
S.B. No. 896, S.D. 1
S.B. No. 897, S.D. 2
S.B. No. 898, S.D. 1
S.B. No. 905, S.D. 1
S.B. No. 907, S.D. 2
S.B. No. 914, S.D. 2
S.B. No. 917, S.D. 1
S.B. No. 920, S.D. 1
S.B. No. 921, S.D. 1
S.B. No. 923
S.B. No. 932, S.D. 2
S.B. No. 933, S.D. 1
S.B. No. 938, S.D. 1
S.B. No. 939, S.D. 2
S.B. No. 940, S.D. 1
S.B. No. 942
S.B. No. 946, S.D. 2
S.B. No. 952, S.D. 2
S.B. No. 957
S.B. No. 959, S.D. 2
S.B. No. 961, S.D. 1
S.B. No. 966
S.B. No. 967, S.D. 2
S.B. No. 970, S.D. 2
S.B. No. 971, S.D. 1
S.B. No. 973, S.D. 2
S.B. No. 979, S.D. 1
S.B. No. 987, S.D. 1
S.B. No. 988, S.D. 2
S.B. No. 990, S.D. 2
S.B. No. 992, S.D. 1
S.B. No. 993, S.D. 1
S.B. No. 1003, S.D. 1
S.B. No. 1004, S.D. 2
S.B. No. 1006, S.D. 1
S.B. No. 1007, S.D. 2
S.B. No. 1008, S.D. 1
S.B. No. 1010, S.D. 1
S.B. No. 1011, S.D. 1
S.B. No. 1016, S.D. 1
S.B. No. 1017
S.B. No. 1026, S.D. 2
S.B. No. 1028
S.B. No. 1030, SD 2
S.B. No. 1034, S.D. 2
S.B. No. 1042, S.D. 1
S.B. No. 1046, S.D. 2
S.B. No. 1048, S.D. 1
S.B. No. 1052, S.D. 2
S.B. No. 1053, S.D. 1
S.B. No. 1060, S.D. 1
S.B. No. 1063, S.D. 1
S.B. No. 1066, S.D. 2
S.B. No. 1068, S.D. 1
S.B. No. 1090, S.D. 2
S.B. No. 1092
S.B. No. 1093, S.D. 2
S.B. No. 1094
S.B. No. 1101, S.D. 2
S.B. No. 1103, S.D. 2
S.B. No. 1106, S.D. 1
S.B. No. 1110, S.D. 1
S.B. No. 1112, S.D. 1
S.B. No. 1113, S.D. 1
S.B. No. 1115, S.D. 2
S.B. No. 1116, S.D. 1
S.B. No. 1117, S.D. 1
S.B. No. 1131, S.D. 2
S.B. No. 1133, S.D. 3
S.B. No. 1136, S.D. 2
S.B. No. 1143, S.D. 2
S.B. No. 1145, S.D. 1
S.B. No. 1146, S.D. 2
S.B. No. 1152, S.D. 2
S.B. No. 1154, S.D. 2
S.B. No. 1156, S.D. 2
S.B. No. 1158, S.D. 2
S.B. No. 1161, S.D. 1
S.B. No. 1163, S.D. 2
S.B. No. 1170, S.D. 1
S.B. No. 1174, S.D. 1
S.B. No. 1176, S.D. 1
S.B. No. 1177, S.D. 2
S.B. No. 1182, S.D. 2
S.B. No. 1184, S.D. 2
S.B. No. 1191, S.D. 2
S.B. No. 1203
S.B. No. 1210, S.D. 1
S.B. No. 1214
S.B. No. 1219, S.D. 1
S.B. No. 1221, S.D. 2
S.B. No. 1222, S.D. 3
S.B. No. 1228, S.D. 1
S.B. No. 1229, S.D. 2
S.B. No. 1234, S.D. 2
S.B. No. 1236, S.D. 1
S.B. No. 1249, S.D. 1
S.B. No. 1253
S.B. No. 1260, S.D. 2
S.B. No. 1279, S.D. 1
S.B. No. 1281
S.B. No. 1282, S.D. 2
S.B. No. 1283, S.D. 2
S.B. No. 1284, S.D. 2
S.B. No. 1285, S.D. 1
S.B. No. 1308, S.D. 1
S.B. No. 1311
S.B. No. 1312, S.D. 1
S.B. No. 1313, S.D. 1
S.B. No. 1315, S.D. 2
S.B. No. 1332, S.D. 2
S.B. No. 1334, S.D. 1
S.B. No. 1337
S.B. No. 1339, S.D. 1
S.B. No. 1342, S.D. 2
S.B. No. 1343, S.D. 1

S.B. No. 1346
S.B. No. 1350, S.D. 2
S.B. No. 1352, S.D. 2
S.B. No. 1361, S.D. 1
S.B. No. 1364, S.D. 1
S.B. No. 1365, S.D. 2
S.B. No. 1370, S.D. 1
S.B. No. 1372, S.D. 1
S.B. No. 1380
S.B. No. 1381, S.D. 1
S.B. No. 1382, S.D. 1
S.B. No. 1383, S.D. 1
S.B. No. 1384, S.D. 1
S.B. No. 1385, S.D. 1
S.B. No. 1386, S.D. 1
S.B. No. 1387, S.D. 1
S.B. No. 1388, S.D. 1
S.B. No. 1389, S.D. 1
S.B. No. 1390, S.D. 1
S.B. No. 1391, S.D. 1
S.B. No. 1392, S.D. 2
S.B. No. 1398, S.D. 1
S.B. No. 1400, S.D. 2
S.B. No. 1402, S.D. 1
S.B. No. 1408, S.D. 1
S.B. No. 1409
S.B. No. 1410, S.D. 1
S.B. No. 1412, S.D. 2
S.B. No. 1414, S.D. 2
S.B. No. 1418, S.D. 1
S.B. No. 1419, S.D. 1
S.B. No. 1421, S.D. 2
S.B. No. 1422, S.D. 1
S.B. No. 1423, S.D. 1
S.B. No. 1424
S.B. No. 1425, S.D. 2
S.B. No. 1426, S.D. 1
S.B. No. 1427, S.D. 1
S.B. No. 1428
S.B. No. 1431, S.D. 2
S.B. No. 1438, S.D. 2
S.B. No. 1440, S.D. 1
S.B. No. 1441, S.D. 1
S.B. No. 1442, S.D. 2
S.B. No. 1447, S.D. 2
S.B. No. 1448
S.B. No. 1450, S.D. 1
S.B. No. 1454
S.B. No. 1456, S.D. 1
S.B. No. 1457, S.D. 2
S.B. No. 1458, S.D. 1
S.B. No. 1459, S.D. 1
S.B. No. 1462
S.B. No. 1463
S.B. No. 1481, S.D. 2
S.B. No. 1484
S.B. No. 1489, S.D. 2
S.B. No. 1491, S.D. 1
S.B. No. 1497, S.D. 2
S.B. No. 1499, S.D. 2
S.B. No. 1500, S.D. 3
S.B. No. 1504, S.D. 2
S.B. No. 1515, S.D. 2
S.B. No. 1518, S.D. 1
S.B. No. 1520
S.B. No. 1523
S.B. No. 1526, S.D. 2
S.B. No. 1527
S.B. No. 1528
S.B. No. 1529, S.D. 2
S.B. No. 1573
S.B. No. 1585, S.D. 2
S.B. No. 1603, S.D. 2
S.B. No. 1612, S.D. 2
S.B. No. 1613, S.D. 1
S.B. No. 1614, S.D. 1
S.B. No. 1617, S.D. 1
S.B. No. 1629, S.D. 2
S.B. No. 1635, S.D. 1
S.B. No. 1636, S.D. 2
S.B. No. 1639, S.D. 1
S.B. No. 1642, S.D. 1
S.B. No. 1644, S.D. 2
S.B. No. 1654, S.D. 1
S.B. No. 1662, S.D. 1
S.B. No. 1672, S.D. 2
S.B. No. 1673, S.D. 1
S.B. No. 1674, S.D. 1
S.B. No. 1675, S.D. 1
S.B. No. 1676, S.D. 2
S.B. No. 1677, S.D. 1
S.B. No. 1678, S.D. 2
S.B. No. 1688, S.D. 1
S.B. No. 1689, S.D. 1
S.B. No. 1697, S.D. 1
S.B. No. 1704, S.D. 1
S.B. No. 1705, S.D. 2
S.B. No. 1711
S.B. No. 1712, S.D. 2
S.B. No. 1717, S.D. 1
S.B. No. 1718
S.B. No. 1720, S.D. 1
S.B. No. 1726
S.B. No. 1728, S.D. 1
S.B. No. 1750, S.D. 1
S.B. No. 1756, S.D. 1
S.B. No. 1779
S.B. No. 1780, S.D. 2
S.B. No. 1793, S.D. 1
S.B. No. 1802
S.B. No. 1803, S.D. 1
S.B. No. 1804, S.D. 2
S.B. No. 1805, S.D. 1
S.B. No. 1816, S.D. 1
S.B. No. 1818, S.D. 1
S.B. No. 1820, S.D. 1
S.B. No. 1823, S.D. 1
S.B. No. 1833, S.D. 1
S.B. No. 1837, S.D. 1
S.B. No. 1838, S.D. 2
S.B. No. 1839, S.D. 2
S.B. No. 1840, S.D. 1
S.B. No. 1848, S.D. 2
S.B. No. 1853, S.D. 2
S.B. No. 1877, S.D. 2
S.B. No. 1882, S.D. 2
S.B. No. 1891, S.D. 1
S.B. No. 1916, S.D. 2
S.B. No. 1917, S.D. 3
S.B. No. 1918, S.D. 2
S.B. No. 1919, S.D. 2
S.B. No. 1920, S.D. 2
S.B. No. 1922, S.D. 2
S.B. No. 1923, S.D. 2
S.B. No. 1924, S.D. 2
S.B. No. 1925, S.D. 2
S.B. No. 1926, S.D. 1
S.B. No. 1928, S.D. 2
S.B. No. 1929, S.D. 2
S.B. No. 1931, S.D. 2
S.B. No. 1932, S.D. 2
S.B. No. 1933, S.D. 2
S.B. No. 1934, S.D. 1
S.B. No. 1935, S.D. 1
S.B. No. 1937, S.D. 2
S.B. No. 1943, S.D. 2

S.B. No. 1946, S.D. 2
S.B. No. 1947, S.D. 1
S.B. No. 1948, S.D. 1
S.B. No. 1950, S.D. 2
S.B. No. 1961, S.D. 1
S.B. No. 1962, S.D. 2
S.B. No. 1969, S.D. 2
S.B. No. 1988, S.D. 1
S.B. No. 1991, S.D. 1

INTRODUCTION

The following introduction was made to the members of the House:

Representative Har introduced Mr. Kim Young Chang from Arirang Television, and Ms. Solmi Chung attending Ewha Women's University and currently an exchange student at the University of Hawaii.

At 2:11 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:26 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
34	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
35	Committee on Education
36	Committee on Human Services & Housing
37	Committee on Higher Education, then to the Committee on Finance
38	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
39	Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
40	Committee on Health

H.C.R. Nos.	Referred to:
54	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
55	Committee on Education
56	Committee on Higher Education, then to the Committee on Finance
57	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
58	Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
59	Committee on Energy & Environmental Protection, then to the Committee on Judiciary
60	Committee on Health

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Cabanilla, Herkes, McKelvey, Mizuno, Nakasone, Sagum, Sonson, Takamine, Thielen, Tokioka and Yamane were excused.)

UNFINISHED BUSINESS

H.B. No. 1290, HD 1:

Representative Caldwell moved that H.B. No. 1290, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, this is the exact same bill that we heard in the Judiciary Committee on February 13. The wording is exactly the same. And no one in the gay community wanted this bill. This body now is bringing it to the Floor without a hearing, and it is the presumption that the gay community has changed its mind. If we believe that the gay community has changed its mind, it's a good yes vote. I believe the gay community said unequivocally they want same sex marriage or civil unions and not this bill, and that's why I'm voting no. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support and I appreciate the former Representative's concern for the gay community. I think this actually, though, that was at the heat of the moment, that was during a time when they were looking at a civil unions bill and thinking that this was going to take away from that. And I think this also negates the fact that this is for everybody. This goes beyond the gay community because this is reciprocal beneficiaries. This is a good move just in the sense that something is happening that's going to expand rights for everybody and I certainly support it and I hope the other Members support it as well. Thank you."

Representative Pine rose to speak in support of the measure, stating:

"Just in strong support, Mr. Speaker. I just want to point out that the Hawaii Family Forum and the Roman Catholic Church of Hawaii is in strong support of this measure. The Hawaii Family Forum is a nonprofit, pro-family education organization committed to preserving and strengthening families in Hawaii. The Roman Catholic Church in Hawaii under the leadership of their Bishop Larry Silva represents over 230,000 Catholics in Hawaii.

"Basically, the rationale and purpose of the regional reciprocal beneficiaries legislation was to provide for important human needs. Reciprocal beneficiaries were by design, not just for legitimate couples *per se*, but were to be available to any two people who qualify, such as two elderly sisters or older folks with adult dependents. And so, Mr. Speaker, I think this is a good civil rights bill. I think it's a good bill for everybody and I urge the Members to vote in favor of it. Thank you."

Representative Chong rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chong's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations. My reservations, Mr. Speaker are with the manner in which this bill, in its amended form was placed before us today."

Representative M. Oshiro rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Lee rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 1290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 34 ayes to 6 noes, with Representatives Ching, Finnegan, Magaoay, Manahan, Meyer and Ward voting no, and with Representatives Cabanilla, Herkes, McKelvey, Mizuno, Nakasone, Sagum, Sonson, Takamine, Thielen, Tokioka and Yamane being excused.

At 2:30 o'clock p.m., the Chair noted that H.B. No. 1290, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1202), recommending that H.R. No. 11, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 11, entitled: "HOUSE RESOLUTION URGING THE HAWAII STATE LEGISLATURE AND THE GOVERNOR TO RESPECT CHILDREN'S RIGHTS WHEN ENACTING LEGISLATION RELATED TO CHILDREN," was referred to the Committee on Legislative Management with Representatives Herkes, McKelvey, Mizuno, Sonson, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1203), recommending that H.C.R. No. 11, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII STATE LEGISLATURE AND THE GOVERNOR TO RESPECT CHILDREN'S RIGHTS WHEN ENACTING LEGISLATION RELATED TO CHILDREN," was referred to the Committee on Legislative Management with Representatives Herkes, McKelvey, Mizuno, Sonson, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1204), recommending that H.R. No. 24, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 24, entitled: "HOUSE RESOLUTION RELATING TO THE ESTABLISHMENT OF A "STATE OF HAWAII WORLD TRADE CENTER, HONOLULU"," was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, McKelvey, Mizuno, Sonson, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1205), recommending that H.C.R. No. 40, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A "STATE OF HAWAII WORLD TRADE CENTER, HONOLULU"," was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, McKelvey, Mizuno, Sonson, Takamine and Thielen being excused.

At 2:31 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:32 o'clock p.m.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1206), recommending that H.R. No. 27, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 27, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED NATIONS GENERAL ASSEMBLY TO REQUEST BY RESOLUTION THAT THE UNION OF MYANMAR CEASE ATTACKS AGAINST CIVILIANS IN ETHNIC MINORITY REGIONS AND BEGIN A SUBSTANTIVE POLITICAL DIALOGUE LEADING TO DEMOCRATIC TRANSITION," was referred to the Committee on Finance with Representatives Herkes, McKelvey, Mizuno, Sonson, Takamine and Thielen being excused.

At 2:32 o'clock p.m., Representative Say requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:33 o'clock p.m.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1207) recommending that H.R. No. 22, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1208) recommending that H.C.R. No. 36, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 22, HD 1, and H.C.R. No. 36, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure, stating:

"In support of 1207 and 1208. I rise in strong support of Stand. Com. Rep. No. 1207 and 1208. As you know, Mr. Speaker, there is currently an ongoing crisis in a place of the world known as Darfur. Darfur is like any other part of the world, it has children, mothers, and fathers and homes, but it has one thing that other places do not. It has more than its fair share of suffering and death.

"It has been said by some that we, as a Legislature, have no right to address other nations. I personally co-introduced this resolution because I believe telling other nations that genocide is wrong is simply the right thing for us to do.

"A great leader, Mr. Speaker, named Ronald Reagan, once said, "Above all, we must realize that no arsenal, or no weapon in the arsenals of the world, is so formidable as the will, moral, and courage of free men and women. It is a weapon our adversaries in today's world do not have." And so I encourage my colleagues to place their hearts upon the ultimate freedom and vote in favor of these resolutions. Thank you, Mr. Speaker."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report No. 1207 and 1208 for House Resolution 22 and House Concurrent Resolution 36, "MAKING RECOMMENDATIONS TO THE UNITED NATIONS SECURITY COUNCIL, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, EUROPEAN UNION, GOVERNMENT OF SUDAN, JANJAWEED MILITIA, SUDANESE LIBERATION ARMY, JUSTICE EQUALITY MOVEMENT, AND SUDAN PEOPLE'S LIBERATION ARMY REGARDING THE CONFLICT IN THE DARFUR REGION OF WESTERN SUDAN."

"I am very proud to say that these amended resolutions which stand before the House Floor today are the result of very close cooperation, collaboration, and research by my staff and several nongovernmental organizations over the course of several weeks. My original intent in introducing these resolutions was to make a declaration to the suffering people of Darfur that there are people – even as far away as Honolulu, Hawaii – who love them and are unwilling to see them left to die and languish under the pall of genocide. The question, however, was how to state that declaration in a way that not only projected the Aloha spirit of compassion, but also made substantive recommendations for how to bring about peace in the region. That task was given to my legislative aide and international organizations policy advisor, Daniel Paul de Gracia II, who liaised with the Center For Moral Clarity, Human Rights Watch, Darfur Genocide.org, Pearce Aerospace, several faith-based organizations, and even an expert at the University of Texas at San Antonio, Dr. Mansour O. El-Kikhia of the College of Liberal and Fine Arts, who himself was a Libyan defector who escaped Africa by commandeering an aircraft and flying it to Italy under the radar floor of the Libyan Air Force. The language we are voting on today is the product of all their collective efforts.

"The crisis in Darfur is one that demands immediate attention. Women and children have had their arms and legs chopped off to leave them permanently disfigured. Men have been shot in their groins to emasculate and dehumanize them, and left to bleed out in the fields. Whole villages have been decimated by air strikes by Russian supplied Mi-24 "Hind" attack helicopters – the same one featured in such war films as Red Dawn, Rambo III, and Blood Diamonds – and Antonov cargo planes modified to drop bombs out of their rear cargo pallet doors. Even international relief aircraft performing humanitarian flights are not safe, as the Sudanese Air Force operates advanced MiG-29 Fulcrum fighters equipped with infrared search and track (or "IRST") sensors which provide targeting data directly to a pilot's helmet, allowing a Sudanese pilot to "lock on" and immediately send a missile to destroy any aircraft his eyes look at, allowing engagement of even American-made F-117 stealth fighters and BGM-109 Tomohawk Land Attack Missiles. The original resolution asked simply for the United Nations, European Union, and North Atlantic Treaty Organization to "pursue policies directed at ending the ongoing conflict in Darfur." But my advisor, Daniel Paul de Gracia II, suggested that one of the keys to stopping the destruction of villages and the regular interception of humanitarian flights was to call upon the European Union – with their new and highly sophisticated aircraft such as the Rafale, Eurofighter Typhoon, and Saab Gripen – to intervene in the region by deploying a No-Fly-Zone over the Darfur Region. This is just one of many examples of how the amended resolution is so much stronger and so much better than the original draft, and why I call upon my colleagues to stand in strong support of this call to action.

"Mr. Speaker, there are some that say that the 21st Century represents the end of history: a time in which all of the great devotions, ideas, and visions are behind us. But I assert to you and to the Members of the House that we haven't run out of history quite yet. We have a chance to make history and save lives with HR22 and HCR36. The great poet Victor Hugo said, "*On résiste à l'invasion des armées; on ne résiste pas à l'invasion des idées*" – "One can resist an invasion of armies, but one cannot resist an invasion of ideas." HR22 and HCR36 represent the idea that genocide is wrong, that human life is precious, and that we are all part of one great, big, body, and when one part of the body hurts – all of it hurts.

"HR22 and HCR36 inspire a temper of the will, a quality of the imagination, a vigor of the emotions, a freshness of the deep springs of life, and a temperamental predominance of courage over timidity. They create in your heart the sense of wonder, the unfailing hope of making a difference, and the joy and inspiration of life itself. Consider, Mr. Speaker, the first "Be It Resolved" of the amended draft:

> "BE IT RESOLVED by the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, the Senate concurring, that to form a more perfect world, establish justice, ensure domestic and international tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish the following recommendations by resolution to the following entities and organizations, on behalf of the people of Darfur, who have suffered for decades under the shadow of famine, warfare, and strife:"

"Mr. Speaker, those words capture the essence of what this resolution is about, and why you and I are here. We fight for men and women whose poetry is not yet written, but which will presently be as enviable and as renowned as any. On behalf of all mankind, Mr. Speaker, fellow colleagues, vote yes for HR22 and HCR36."

Representative Ward rose to speak in support of the measure, stating:

"I also rise in strong support of these two resolutions. Mr. Speaker, I'll just point out to the body for those here or those outside, or those who will be listening. Yes, resolutions have no legal binding power, but we have to remember in history that it was a resolution that essentially started the Vietnam war, the resolution of the Gulf of Tonkin. And ask any Hawaiian if the resolution called the Hawaiian Apology means anything to them, if people take resolutions lightly. Thank you, Mr. Speaker."

Representative Lee rose to speak in support of the measure, stating:

"I stand in strong support. I would like to say that I think it's particularly appropriate that we pass this Resolution today because it is International Women's Day today. I think women, above anyone, have suffered the most in Darfur.

"And I'd also like to just make a comment about something I read in the paper this morning that maybe it was a waste of time for the Legislature to deal with international issues. I think this is more than appropriate that we make this statement today. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 22, HD 1, entitled: "HOUSE RESOLUTION MAKING RECOMMENDATIONS TO THE UNITED NATIONS SECURITY COUNCIL, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, EUROPEAN UNION, GOVERNMENT OF SUDAN,

JANJAWEED MILITIA, SUDANESE LIBERATION ARMY, JUSTICE EQUALITY MOVEMENT, AND SUDAN PEOPLE'S LIBERATION ARMY REGARDING THE CONFLICT IN THE DARFUR REGION OF WESTERN SUDAN," was adopted, with Representatives Herkes, Mizuno, Sonson, Takamine and Thielen being excused; and

H.C.R. No. 36, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION MAKING RECOMMENDATIONS TO THE UNITED NATIONS SECURITY COUNCIL, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, EUROPEAN UNION, GOVERNMENT OF SUDAN, JANJAWEED MILITIA, SUDANESE LIBERATION ARMY, JUSTICE EQUALITY MOVEMENT, AND SUDAN PEOPLE'S LIBERATION ARMY REGARDING THE CONFLICT IN THE DARFUR REGION OF WESTERN SUDAN," was adopted, with Representatives Herkes, Mizuno, Sonson, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1209) recommending that H.C.R. No. 38, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 38, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING NOVEMBER 21ST AS INTERNATIONAL PEACE AND RECONCILIATION DAY IN THE STATE OF HAWAII," was adopted, with Representatives Herkes, Mizuno, Sonson, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1210) recommending that H.C.R. No. 27, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING EACH COUNTY TO EXAMINE ITS CURRENT ZONING LAWS, BUILDING CODES, AND SUBDIVISION REQUIREMENTS AND ELIMINATE ENCUMBRANCES TO FAMILY CAREGIVING AND AGING IN PLACE," was adopted, with Representatives Herkes, Mizuno, Sonson, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1211) recommending that H.R. No. 13, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE CHILDCARE AND ELDERCARE COMMUNITIES TO ACKNOWLEDGE THE UNIQUE CIRCUMSTANCES OF GRANDPARENTS RAISING GRANDCHILDREN BY SUPPORTING POLICIES AND SERVICES THAT ARE CONDUCIVE TO THAT FAMILIAL RELATIONSHIP," was adopted, with Representatives Herkes, Mizuno, Sonson, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1212) recommending that H.C.R. No. 25, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CHILDCARE AND ELDERCARE COMMUNITIES TO ACKNOWLEDGE THE UNIQUE CIRCUMSTANCES OF GRANDPARENTS RAISING GRANDCHILDREN BY SUPPORTING POLICIES AND SERVICES THAT ARE CONDUCIVE TO THAT FAMILIAL RELATIONSHIP," was adopted, with Representatives Herkes, Mizuno, Sonson, Takamine and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 41 through 46) and concurrent resolution (H.C.R No. 61 through 66) were referred to Printing and further action was deferred:

H.R. No. 41, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON PUBLIC CONTRACTS," was jointly offered by Representatives Sonson, Cabanilla, Magaoay, Sagum, Takai, Tokioka, Chang, Evans, Mizuno, Nishimoto and Rhoads.

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION DIVISION TO RESEARCH AND REPORT TO THE LEGISLATURE ON HOW BEST TO PROTECT HAWAII'S HISTORIC BUILDINGS FROM DEMOLITION," was jointly offered by Representatives Karamatsu, Awana, Belatti, Brower, Caldwell, Carroll, Ching, Evans, Finnegan, Ito, Mizuno, Pine, Tsuji, Ward, Waters, Cabanilla, Chang, Chong, Herkes, Lee, Magaoay, Manahan, Nishimoto, Rhoads, Say, Shimabukuro, Wakai, Yamane and Yamashita.

H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE OWNERSHIP OF THE RIGHTS-OF-WAY IN CERTAIN LANES IN URBAN OAHU," was offered by Representative Rhoads.

H.R. No. 44, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DEVELOP A PHYSICAL THERAPY AND OCCUPATIONAL THERAPY DEGREE PROGRAM WITHIN THE UNIVERSITY OF HAWAII SYSTEM," was jointly offered by Representatives Green, Mizuno, Belatti and Rhoads.

H.R. No. 45, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY WAIVER," was jointly offered by Representatives Green, Mizuno, Belatti and Rhoads.

H.R. No. 46, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE ON SUPPLY OF CONTRACTORS AND TRADESPERSONS IN TIMES OF NATURAL DISASTER TO STUDY THE EXPEDITED LICENSING OR LICENSING EXEMPTIONS FOR CONTRACTORS AND TRADESPERSONS," was offered by Representative Herkes.

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON PUBLIC CONTRACTS," was jointly offered by Representatives Sonson, Cabanilla, Sagum, Takai, Tokioka, Chang, Evans, Magaoay, Mizuno, Nishimoto and Rhoads.

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION DIVISION TO RESEARCH AND REPORT TO THE LEGISLATURE ON HOW BEST TO PROTECT HAWAII'S HISTORIC BUILDINGS FROM DEMOLITION," was jointly offered by Representatives Karamatsu, Awana, Belatti, Brower, Caldwell, Carroll, Ching, Evans, Finnegan, Ito, Mizuno, Pine, Tsuji, Ward, Waters, Cabanilla, Chang, Chong, Herkes, Lee, Magaoay, Manahan, Nishimoto, Rhoads, Say, Shimabukuro, Wakai, Yamane and Yamashita.

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE OWNERSHIP OF THE RIGHTS-OF-WAY IN CERTAIN LANES IN URBAN OAHU," was offered by Representative Rhoads.

H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DEVELOP A PHYSICAL THERAPY AND OCCUPATIONAL THERAPY DEGREE PROGRAM WITHIN THE UNIVERSITY OF HAWAII SYSTEM," was jointly offered by Representatives Green, Mizuno, Belatti and Rhoads.

H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY WAIVER," was jointly offered by Representatives Green, Mizuno, Belatti and Rhoads.

H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE ON SUPPLY OF CONTRACTORS AND TRADESPERSONS IN TIMES OF NATURAL DISASTER TO STUDY THE EXPEDITED LICENSING OR LICENSING EXEMPTIONS FOR CONTRACTORS AND TRADESPERSONS," was offered by Representative Herkes.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. Your Legislative Hawaiian Caucus will be having a meeting today at 4:00 p.m. in Room 423 and you're all invited. Thank you."

Representative Ching: "Mr. Speaker, I would just like to announce that there was a very good showing yesterday at the Historic Preservation Awareness Day. It was the fourth annual event. We would like to thank all of the legislators who took time out of their busy schedules to stop by. I know that the organizations appreciated it. We had many organizations this year that spanned all over the State, including the Neighbor Islands, and I just wanted to, on behalf of Chair Cindy Evans and myself, thank everyone who did help and show their support."

Representative Brower: "Thank you, Mr. Speaker. I just want to announce to all Members that I dropped off an envelope from the American Cancer Society to all your offices, as well as those in the Senate. And on March 21st, on the Third floor, the Cancer Society is inviting you to lunch and will also have a presentation to learn more about the organization. Thank you."

Representative Finnegan: "Thank you, Mr. Speaker. I'd just like to wish a happy birthday to our Minority Floor Leader. Today is her birthday."

Representative Meyer: "Well, actually, there's another Member in the Chamber that has the same birthday as mine, and that's Representative Nakasone."

ADJOURNMENT

At 2:39 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 9, 2007. (Representatives Herkes, Mizuno, Nakasone, Sonson, Takamine and Thielen were excused.)

TWENTY-EIGHTH DAY

Friday, March 9, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by the Very Reverend Marc R. Alexander, STD, Vicar General, of the Roman Catholic Diocese of Honolulu, after which the Roll was called showing all members present with the exception of Representatives Bertram, Har, Herkes, Meyer, Souki, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Seventh Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 291) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 291, dated March 2, 2007, transmitting the Department of Public Safety's response to Act 160, Section 93.1, Session Laws of Hawaii 2006, requiring a report on the status of all capital improvement projects for FY 2006-2007 appropriated funds under Halawa Correctional Facility.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 423 through 428) were received and announced by the Clerk:

Sen. Com. No. 423, transmitting S.B. No. 96, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," which passed Third Reading in the Senate on March 8, 2007.

Sen. Com. No. 424, transmitting S.B. No. 667, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," which passed Third Reading in the Senate on March 8, 2007.

Sen. Com. No. 425, transmitting S.B. No. 1276, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on March 8, 2007.

Sen. Com. No. 426, transmitting S.B. No. 1307, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 8, 2007.

Sen. Com. No. 427, transmitting S.B. No. 1702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which passed Third Reading in the Senate on March 8, 2007.

Sen. Com. No. 428, transmitting S.B. No. 1792, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 8, 2007.

On motion by Representative B. Oshiro seconded by Representative Pine and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Bertram, Har, Herkes, Meyer, Souki, Takamine and Thielen were excused.)

S.B. No. 96, SD 3	S.B. No. 1307, SD 3
S.B. No. 667, SD 3	S.B. No. 1702, SD 2
S.B. No. 1276, SD 3	S.B. No. 1792, SD 3

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Mizuno introduced Dr. Mae Mendelson of the International Committee of the World Council on Youth, and Ms. Jan Rumi, Honorary Counsel for the Kingdom of Morocco.

Representative Cabanilla introduced Mr. Aziz Mekouar, Ambassador of Morocco in the United States, and Mr. Abdelhak El Mantrech, Counselor in the Regional Council of Rabat, and other delegates from Morocco.

Representative Yamane introduced Mr. Andreas Delfs, Conductor of the Honolulu Symphony, and his wife, Mrs. Amy Tait; accompanied by Ms. Ah Quon McElrath; and from the Honolulu Symphony: Mr. Jeffrey Minter, Chair of the Board of Directors; Mr. Tom Gulick, Executive Director; and Mr. Christopher Minnes, Director of Development.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
41	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
42	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
43	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
44	Committee on Health, then to the Committee on Higher Education
45	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
46	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
47	Committee on Economic Development & Business Concerns, then to the Committee on Finance
48	Committee on International Affairs, then to the Committee on Human Services & Housing
49	Jointly to the Committee on Health and the Committee on Human Services & Housing
50	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
51	Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance

54	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

H.C.R. Nos.	Referred to:
61	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
62	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
63	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
64	Committee on Health, then to the Committee on Higher Education
65	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
66	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
67	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
68	Committee on Economic Development & Business Concerns, then to the Committee on Finance
69	Committee on International Affairs, then to the Committee on Human Services & Housing
70	Committee on Transportation
71	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
72	Jointly to the Committee on Health and the Committee on Human Services & Housing
73	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
74	Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance
75	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance
76	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
77	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance
78	Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

S.B. Nos.	Referred to:
11, SD3	Committee on Health, then to the Committee on Finance
12, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
17, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
31, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
46, SD1	Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment
49, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
50, SD1	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance
51, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
53	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
55, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
56, SD1	Committee on Judiciary
58, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
60, SD1	Committee on Consumer Protection & Commerce
69, SD2	Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance
76, SD2	Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
79, SD2	Committee on Education, then to the Committee on Finance
80, SD2	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
94, SD2	Committee on Education, then to the Committee on Finance
96, SD3	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
98, SD1	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

The following bills were referred to committee by the Speaker:

100, SD1 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary

138, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

148, SD2 Committee on Finance

152, SD2 Committee on Transportation, then to the Committee on Finance

153, SD1 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

156, SD2 Committee on Judiciary, then to the Committee on Finance

162, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

163, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

170, SD1 Committee on Consumer Protection & Commerce

188, SD2 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

216, SD1 Committee on Economic Development & Business Concerns, then to the Committee on Finance

227, SD1 Committee on Education, then to the Committee on Finance

228, SD1 Committee on Judiciary

230, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

238, SD2 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

247, SD1 Jointly to the Committee on Tourism & Culture and the Committee on International Affairs

248, SD2 Committee on Human Services & Housing, then to the Committee on Finance

249 Committee on Human Services & Housing, then to the Committee on Finance

257, SD1 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

260 Committee on Tourism & Culture

323, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

331, SD3 Jointly to the Committee on Legislative Management and the Committee on Judiciary, then to the Committee on Finance

424, SD2 Committee on Human Services & Housing, then to the Committee on Finance

427, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

523, SD2 Jointly to the Committee on Transportation and the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

546, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

586, SD1 Committee on Legislative Management, then to the Committee on Finance

597, SD2 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection, then to the Committee on Finance

600 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

603, SD2 Committee on Education, then to the Committee on Finance

608, SD2 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

610, SD1 Committee on Judiciary, then to the Committee on Finance

613, SD2 Committee on Education, then to the Committee on Finance

620, SD1 Committee on Education, then to the Committee on Finance

625, SD2 Committee on Judiciary, then to the Committee on Finance

639, SD2 Committee on Agriculture, then to the Committee on Finance

642, SD2 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

644, SD3 Jointly to the Committee on Human Services & Housing and the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

646 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

651, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

662, SD2 Committee on Agriculture, then to the Committee on Finance

663, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

664, SD1 Committee on Education, then to the Committee on Finance

667, SD3 Committee on Health, then to the Committee on Consumer Protection & Commerce

675 Committee on Judiciary, then to the Committee on Finance

676, SD1 Committee on Judiciary

677, SD2 Committee on Judiciary, then to the Committee on Finance

678, SD1 Committee on Tourism & Culture, then to the Committee on Finance

679, SD2 Jointly to the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

683, SD2 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

686, SD1 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

688, SD2 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

691, SD2 Committee on Education, then to the Committee on Finance

696, SD2 Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

704 Committee on Health, then to the Committee on Finance

707, SD2 Jointly to the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

709, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

711 Committee on Judiciary, then to the Committee on Finance

713, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

718, SD2 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

732, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

733, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

750, SD3 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

755, SD1 Committee on Judiciary

768, SD1 Committee on Transportation, then to the Committee on Judiciary

769 Committee on Finance

781, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Finance

784, SD1 Committee on Transportation, then to the Committee on Judiciary

795, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Finance

796, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Finance

798, SD3 Committee on Public Safety & Military Affairs, then to the Committee on Finance

810, SD2 Committee on Health, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

813, SD1 Committee on Judiciary

816, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

820, SD1 Committee on Health, then to the Committee on Finance

823, SD1 Committee on Human Services & Housing, then to the Committee on Finance

835, SD1 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

837, SD2 Committee on Agriculture, then to the Committee on Finance

851, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

856, SD1 Committee on Economic Development & Business Concerns, then jointly to the to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

866, SD1 Committee on Tourism & Culture, then to the Committee on Judiciary

867, SD1 Committee on Education, then to the Committee on Finance

870, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

871, SD2 Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

880, SD2 Committee on Tourism & Culture, then to the Committee on Finance

885, SD2 Committee on Education, then jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

890, SD1 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

891 Committee on Finance

892 Committee on Finance

896, SD1 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

897, SD2 Committee on Education, then to the Committee on Finance

898, SD1 Committee on Economic Development & Business Concerns, then to the Committee on Finance

905, SD1 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

907, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

914, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

917, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

920, SD1 Committee on Consumer Protection & Commerce

921, SD1 Committee on Consumer Protection & Commerce

923 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

932, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

933, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

938, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

939, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

940, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

942 Committee on Judiciary

946, SD2 Committee on Transportation, then to the Committee on Judiciary

952, SD2 Committee on Health, then to the Committee on Finance

957 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

959, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

961, SD1 Committee on Judiciary

966 Committee on Judiciary, then to the Committee on Finance

967, SD2 Committee on Health, then to the Committee on Finance

970, SD2 Committee on Health, then to the Committee on Finance

971, SD1 Committee on Health, then to the Committee on Finance

973, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

979, SD1 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

987, SD1 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

988, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

990, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

992, SD1 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

993, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

994, SD1 Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1003, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1004, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce

1006, SD1 Committee on Consumer Protection & Commerce

1007, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1008, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1010, SD1 Committee on Consumer Protection & Commerce

1011, SD1 Committee on Consumer Protection & Commerce

1016, SD1 Committee on Higher Education, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1017 Committee on Human Services & Housing, then to the Committee on Finance

1026, SD2 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1028 Committee on Transportation, then to the Committee on Tourism & Culture

1030, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1034, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Transportation, then to the Committee on Finance

1035, SD1 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

1042, SD1 Committee on Transportation, then to the Committee on Finance

1046, SD2 Committee on Transportation, then to the Committee on Finance

1047 Committee on Transportation, then to the Committee on Judiciary

1048, SD1 Committee on Transportation

1052, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1053, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1060, SD1 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1063, SD1 Committee on Judiciary

1066, SD2 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

1068, SD1 Committee on Judiciary, then to the Committee on Finance

1090, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1092 Committee on Education, then to the Committee on Finance

1093, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1094 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

1101, SD2 Committee on Human Services & Housing, then to the Committee on Finance

1103, SD2 Committee on Human Services & Housing, then to the Committee on Finance

1106, SD1 Committee on Human Services & Housing, then to the Committee on Finance

1110, SD1 Committee on Health, then to the Committee on Judiciary

1112, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1113, SD1 Committee on Judiciary, then to the Committee on Finance

1115, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

1116, SD1 Committee on Human Services & Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

1117, SD1 Committee on Health, then to the Committee on Judiciary

1131, SD2 Committee on Education, then to the Committee on Finance

1133, SD3 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1136, SD2 Committee on Education, then to the Committee on Finance

1143, SD2 Committee on Education, then to the Committee on Finance

1145, SD1 Committee on Education, then to the Committee on Finance

1146, SD2 Committee on Higher Education, then to the Committee on Finance

1152, SD2 Committee on Education, then to the Committee on Finance

1154, SD2 Committee on Higher Education, then to the Committee on Finance

1156, SD2 Committee on Higher Education, then to the Committee on Finance

1158, SD2 Committee on Judiciary, then to the Committee on Finance

1161, SD1 Committee on Human Services & Housing, then to the Committee on Judiciary

1163, SD2 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

1170, SD1 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1174, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1176, SD1 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Education, then to the Committee on Finance

1177, SD2 Jointly to the Committee on Higher Education and the Committee on International Affairs, then to the Committee on Finance

1182, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

1184, SD2 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

1191, SD2 Committee on Transportation, then to the Committee on Finance

1203 Committee on Human Services & Housing, then to the Committee on Finance

1210, SD1 Committee on Human Services & Housing, then to the Committee on Finance

1214 Committee on Education, then to the Committee on Finance

1219, SD1 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

1221, SD2 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1222, SD3 Committee on Energy & Environmental Protection, then to the Committee on Finance

1228, SD1 Committee on Tourism & Culture, then to the Committee on Finance

1229, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1234, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Health, then to the Committee on Finance

1236, SD1 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

1237, SD1 Committee on Transportation, then to the Committee on Judiciary

1249, SD1 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

1253 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1260, SD2 Committee on Finance

1276, SD3 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

1279, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1281 Committee on Labor & Public Employment, then to the Committee on Finance

1282, SD2 Committee on Health, then to the Committee on Finance

1283, SD2 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

1284, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1285, SD1 Jointly to the Committee on Transportation and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1287, SD1 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

1307, SD3 Committee on Agriculture, then to the Committee on Finance

1308, SD1 Committee on Agriculture, then to the Committee on Finance

1311 Committee on Finance

1312, SD1 Committee on Finance

1313, SD1 Committee on Finance

1315, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

1332, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1334, SD1 Committee on Judiciary

1337 Committee on Human Services & Housing, then to the Committee on Judiciary

1339, SD1 Committee on Judiciary

1342, SD2 Committee on Judiciary, then to the Committee on Finance

1343, SD1 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

1346 Committee on Health, then to the Committee on Judiciary

1350, SD2	Committee on Human Services & Housing, then to the Committee on Judiciary
1352, SD2	Committee on Human Services & Housing, then to the Committee on Finance
1361, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Finance
1364, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
1365, SD2	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
1370, SD1	Committee on Finance
1372, SD1	Committee on Finance
1380	Committee on Labor & Public Employment, then to the Committee on Finance
1381, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1382, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1383, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1384, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1385, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1386, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1387, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1388, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1389, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1390, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1391, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1392, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1398, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1400, SD2	Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1402, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1408, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1409	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1410, SD1	Committee on Consumer Protection & Commerce
1412, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
1414, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1418, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1419, SD1	Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1421, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1422, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1423, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
1424	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1425, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
1426, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1427, SD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
1428	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
1431, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1438, SD2	Committee on Tourism & Culture, then to the Committee on Finance
1440, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
1441, SD1	Committee on Human Services & Housing, then to the Committee on Judiciary
1442, SD2	Committee on Human Services & Housing, then to the Committee on Finance
1444, SD1	Committee on Human Services & Housing, then to the Committee on Judiciary
1447, SD2	Committee on Human Services & Housing, then to the Committee on Finance

1448 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1450, SD1 Committee on Human Services & Housing, then to the Committee on Finance

1454 Committee on Health, then to the Committee on Finance

1456, SD1 Committee on Health, then to the Committee on Finance

1457, SD2 Committee on Health, then to the Committee on Finance

1458, SD1 Committee on Health, then to the Committee on Finance

1459, SD1 Committee on Health, then to the Committee on Finance

1462 Committee on Energy & Environmental Protection

1463 Committee on Health, then to the Committee on Finance

1481, SD2 Committee on Higher Education, then to the Committee on Finance

1484 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1489, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

1491, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1497, SD2 Committee on Finance

1499, SD2 Committee on Judiciary, then to the Committee on Finance

1500, SD3 Committee on Transportation, then to the Committee on Finance

1504, SD2 Committee on Finance

1509, SD1 Committee on Transportation

1515, SD2 Committee on Transportation, then to the Committee on Judiciary

1518, SD1 Committee on Judiciary, then to the Committee on Finance

1520 Committee on Judiciary

1523 Committee on Finance

1526, SD2 Committee on Judiciary, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1527 Committee on Judiciary

1528 Committee on Transportation, then to the Committee on Judiciary

1529, SD2 Committee on Transportation, then to the Committee on Judiciary

1573 Committee on Judiciary

1585, SD2 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1603, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

1612, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

1613, SD1 Committee on Judiciary

1614, SD1 Committee on Education, then to the Committee on Finance

1617, SD1 Committee on Judiciary

1629, SD2 Committee on Health, then to the Committee on Finance

1635, SD1 Committee on Judiciary

1636, SD2 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary

1639, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

1642, SD1 Committee on Labor & Public Employment, then to the Committee on Finance

1644, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

1654, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1662, SD1 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

1672, SD2 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

1673, SD1 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

1674, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce

1675, SD1 Committee on Health, then to the Committee on Judiciary

1676, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1677, SD1	Committee on Transportation, then to the Committee on Finance
1678, SD2	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1688, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1689, SD1	Committee on Finance
1697, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1702, SD2	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1704, SD1	Committee on Consumer Protection & Commerce
1705, SD2	Committee on Agriculture, then to the Committee on Finance
1709, SD1	Committee on Transportation, then to the Committee on Judiciary
1711	Committee on Legislative Management, then to the Committee on Finance
1712, SD2	Committee on Tourism & Culture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1717, SD1	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection, then to the Committee on Finance
1718	Committee on Energy & Environmental Protection, then to the Committee on Finance
1720, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
1726	Committee on Legislative Management, then to the Committee on Finance
1728, SD1	Committee on Health, then to the Committee on Finance
1750, SD1	Committee on Health
1756, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
1779	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
1780, SD2	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services & Housing, then to the Committee on Finance
1792, SD3	Committee on Health, then to the Committee on Finance
1793, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1802	Committee on Health, then to the Committee on Judiciary
1803, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
1804, SD2	Jointly to the Committee on Health and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
610, SD1	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1117, SD1	Committee on Education, then to the Committee on Health, then to the Committee on Judiciary

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 52) was announced by the Clerk and the following action taken:

H.R. No. 52, entitled: "HOUSE RESOLUTION HONORING DOROTHY "DOT" HORIE FOR HER 40 YEARS OF DEDICATED SERVICE TO THE HAWAII STATE HOUSE IN THE PRINTSHOP," was jointly offered by Representatives Say, Caldwell, Finnegan, Karamatsu, Magaoay and Saiki.

Representative Caldwell, moved that H.R. No. 52 be adopted, seconded by Representative Finnegan.

Representative Caldwell introduced the honoree, Ms. Dorothy "Dot" Horie and thanked her for her service to the House of Representatives and the people of Hawaii. Representative Caldwell also introduced her sisters, Ms. Sadie Hanafusa and Sister Mary Edward; and niece, Ms. Bernie Panoncial who seated on the floor of the House.

Representative Caldwell then recognized the Printshop staff who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 52 was adopted with Representatives Bertram, Har, Herkes, Meyer, Nakasone, Souki, Takamine and Thielen being excused.

At this time, the Chair addressed the honoree, stating:

"Dot, it would be a privilege and honor for you to come up and say a few words from this rostrum. May I escort you up?"

Ms. Dot Horie assumed the rostrum and addressed the Members of the House as follows:

"I'd like to thank all of you for bearing with me. I have enjoyed working here at the Capitol. And I'll try to come back again. Thank you, everybody."

The following resolution (H.R. No. 53) was announced by the Clerk and the following action taken:

H.R. No. 53, entitled: "HOUSE RESOLUTION RECOGNIZING THE CONTINUING IMPORTANCE OF FORT SHAFTER TO THE STATE OF HAWAII AND TO THE COUNTRY, ITS PEOPLE, AND SECURITY, ON THE OCCASION OF ITS CENTENNIAL CELEBRATION," was jointly offered by Representatives Evans, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Marumoto, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Say, Sonson, Souki, Tokioka, Tsuji, Waters, Yamane, Yamashita and Wakai.

Representative Evans, moved that H.R. No. 53 be adopted, seconded by Representative Lee.

Representative Evans introduced Lieutenant General John M. Brown III, Colonel Howard J. Killian, Command Sergeant Major Joseph P. Zettlemoyer, Staff Sergeant Aaron Townsend, and Specialist John Quinlan, who were seated on the floor.

Representative Lee introduced Ms. Marlene Mamaril, Mr. David Hilkert, Private First Class Porter, Staff Sergeant Brookins, Staff Sergeant Burton, and Staff Sergeant Laeo, who were seated in the gallery.

Representative Ward further recognized and thanked the people of Fort Shafter.

The motion was put to vote by the Chair and carried, and H.R. No. 53 was adopted with Representatives Bertram, Har, Herkes, Meyer, Nakasone, Souki, Takamine and Thielen being excused.

At this time, the Chair announced:

"Before calling a recess, the Chair would like to invite Lieutenant General Brown III, Commanding General of Headquarters United States Army Pacific Fort Shafter to say a few words. Lieutenant General Brown, please."

Lieutenant General Brown assumed the rostrum and addressed the Members of the House as follows:

"Mr. Speaker, distinguished Representatives, Ms. Horie, and fellow visitors to this beautiful Chamber, *aloha*. I first would like to personally thank Representative Cindy Evans for sponsoring this Resolution that means so very much to all of the American soldiers that serve here in this beautiful State.

"The five soldiers that are here today, we together very humbly represent the millions of American soldiers that have served in the Pacific throughout the hundred years that we talked about. We also humbly represent the tens of thousands of Pacific based American soldiers that stand this morning, this afternoon on the front line of America's war on terrorism. Also, several thousand Pacific-based American soldiers are journeying home as we speak from very successful operations and exercises with our allies and neighbors in Japan and in the Philippines. And in just days, several thousand more Pacific-based American soldiers will journey to exercise and train with the armed forces of India, the largest democracy in the world, and the armed forces of Indonesia, the largest Muslim nation in the world.

"We very proudly join those soldiers in service to our nation and we very gratefully serve here in the beautiful State of Hawaii. Mahalo."

At 12:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

At this time, the Chair announced:

"Members, once more, please note the 48-hour notice for Standing Committee Reports No. 1213 and 1214. The 48-hour notice once more for Stand. Com. Report 1213 and 1214."

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1213) recommending that H.B. No. 1200, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1213 on H.B. No. 1200, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1200, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1214) recommending that H.B. No. 1212, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1214 on H.B. No. 1212, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1212, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1215) recommending that H.B. No. 500, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Chang, Har, Herkes, Meyer, Nakasone, Saiki, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1216), recommending that H.C.R. No. 22, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 22, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMITTEES WITH SUBJECT MATTER JURISDICTION OVER HUMAN SERVICES AND THE JUDICIARY OF THE SENATE AND HOUSE OF REPRESENTATIVES TO RECONVENE THE TASK FORCE ESTABLISHED IN SCR 52, SD1, REGULAR SESSION OF 2006, TO FURTHER STUDY RECOMMENDATIONS MADE BY THE TASK FORCE'S COMMITTEES RELATING TO THE FAMILY COURT," was referred to the Committee on Judiciary with Representatives Bertram, Chang, Har, Herkes, Meyer, Nakasone, Saiki, Souki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1217) recommending that H.C.R. No. 42, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 42, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, there are millions of unregistered children in China. Several people in this State have come to my Committee asking for us to recognize they do exist. And that perhaps a resolution to the United Nations to address the needs and the welfare of these thousands of children, can in some way, make a dent for the improvement of their life. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this Resolution. Having an adopted daughter from China who is the love of my life and the blessing of my life, these are the same kids who the Chinese government pretends doesn't exist. They're all over. They're working. They're kind of like Dickens' kids on the streets of London. The chances of them to make a life out of what they've been given is very, very short.

"So I think this, like other resolutions, sends a strong message or sends at least a gesture of compassion to the Chinese government, which eventually, probably won't even acknowledge it. But right now, it's like a Kabuki play. There's nobody seeing and saying anything. And I think it's time that this be brought to their attention. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 42, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED NATIONS TO RECOGNIZE BY GENERAL ASSEMBLY RESOLUTION THE MILLIONS OF LEGALLY UNREGISTERED CHILDREN IN THE PEOPLE'S REPUBLIC OF CHINA KNOWN AS THE HEI HAIZI," was adopted, with Representatives Bertram, Chang, Har, Herkes, Meyer, Nakasone, Saiki, Souki, Takamine and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 47 through 51, and 54) and concurrent resolution (H.C.R No. 67 through 78) were referred to Printing and further action was deferred:

H.R. No. 47, entitled: "HOUSE RESOLUTION URGING ADOPTION OF THE UNITED NATION'S MILLENNIUM GOALS," was offered by Representative Berg.

H.R. No. 48, entitled: "HOUSE RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD," was offered by Representative Berg.

H.R. No. 49, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND ADOPT POLICIES THAT ENSURE NOTIFICATION BY ALL HEALTH CARE FACILITIES AND HEALTH CARE PROVIDERS TO THE GOVERNOR-DESIGNATED PROTECTION AND ADVOCACY ENTITY OR AGENCY PRIOR TO TRANSFERRING ANY INDIVIDUAL OUT-OF-STATE TO A TREATMENT, REHABILITATION, OR LONG-TERM CARE FACILITY," was jointly offered by Representatives Mizuno, Awana, Belatti, Green, Manahan, Rhoads, Sagum, Tokioka and Ward.

H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE SECRETARY OF THE INTERIOR TO ALLOW AND APPROVE THE ESTABLISHMENT OF A MEMORIAL AT A SUITABLE LOCATION WITHIN KALAUPAPA NATIONAL HISTORICAL PARK ON THE ISLAND OF MOLOKAI TO HONOR AND PERPETUATE THE MEMORY OF THOSE INDIVIDUALS WHO WERE FORCIBLY RELOCATED TO THE KALAUPAPA PENINSULA FROM 1866 TO 1969," was jointly offered by Representatives Mizuno, Awana, Belatti, Cabanilla, Rhoads, Ward, Green, Manahan, Sagum and Tokioka.

H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES ARMED FORCES TO TAKE SOIL, AIR, AND WATER SAMPLES WITHIN 500 METERS OF ALL MILITARY BASES IN HAWAII TO ASSESS FOR DEPLETED URANIUM, AT LEAST ONCE EVERY THREE MONTHS, AND ANNUALLY REPORT TO THE LEGISLATURE," was jointly offered by Representatives Green, Belatti, Mizuno, Awana, Manahan, Rhoads, Sagum and Tokioka.

H.R. No. 54, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO CONSIDER AMENDING CURRENT CHILD CUSTODY AND VISITATION CRITERIA AND PROCEDURES TO SPECIFY WHAT THE FAMILY COURT SHALL CONSIDER WHEN DETERMINING THE BEST INTERESTS OF THE CHILD," was offered by Representative Shimabukuro.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A HAWAIIAN HOMESTEAD COMMUNITY SELF-GOVERNANCE TASK FORCE," was jointly offered by Representatives Hanohano, Awana, Chong, Manahan, Morita, Tokioka, Waters, Chang, Evans, Herkes and Takamine.

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION URGING ADOPTION OF THE UNITED NATION'S MILLENNIUM GOALS," was offered by Representative Berg.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD," was offered by Representative Berg.

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO ELIMINATE MID-STREET CROSSWALKS ON MAJOR THOROUGHFARES THAT ARE NOT MONITORED BY A PEDESTRIAN CROSSING LIGHT," was offered by Representative Berg.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON AIRPORT CONCESSION PRICES AND THE FEASIBILITY OF IMPLEMENTING PRICE CONTROLS FOR ALL AIRPORT CONCESSIONAIRES AT HAWAII'S COMMERCIAL AIRPORTS," was offered by Representative Berg.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND ADOPT POLICIES THAT ENSURE NOTIFICATION BY ALL HEALTH CARE FACILITIES AND HEALTH CARE PROVIDERS TO THE GOVERNOR-DESIGNATED PROTECTION AND ADVOCACY ENTITY OR AGENCY PRIOR TO TRANSFERRING ANY INDIVIDUAL OUT-OF-STATE TO A TREATMENT, REHABILITATION, OR LONG-TERM CARE FACILITY," was jointly offered by Representatives Mizuno, Awana, Belatti, Green, Manahan, Rhoads, Sagum, Tokioka and Ward.

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF THE INTERIOR TO ALLOW AND APPROVE THE ESTABLISHMENT OF A MEMORIAL AT A SUITABLE LOCATION WITHIN KALAUPAPA NATIONAL HISTORICAL PARK ON THE ISLAND OF MOLOKAI TO HONOR AND PERPETUATE THE MEMORY OF THOSE INDIVIDUALS WHO WERE FORCIBLY RELOCATED TO THE KALAUPAPA PENINSULA FROM 1866 TO 1969," was jointly offered by Representatives Mizuno, Awana, Belatti, Cabanilla, Green, Rhoads, Ward, Manahan, Sagum and Tokioka.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMED FORCES TO TAKE SOIL, AIR, AND WATER SAMPLES WITHIN 500 METERS OF ALL MILITARY BASES IN HAWAII TO ASSESS FOR DEPLETED URANIUM, AT LEAST ONCE EVERY THREE MONTHS, AND ANNUALLY REPORT TO THE LEGISLATURE," was jointly offered by Representatives Green, Belatti, Mizuno, Awana, Manahan, Rhoads, Sagum and Tokioka.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF THE HAWAII DISABILITIES RIGHTS CENTER," was offered by Representative M. Oshiro.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO CONSIDER AMENDING CURRENT CHILD CUSTODY AND VISITATION CRITERIA AND PROCEDURES TO SPECIFY WHAT THE FAMILY COURT SHALL CONSIDER WHEN DETERMINING THE BEST INTERESTS OF THE CHILD," was offered by Representative Shimabukuro.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON PREDATORY MORTGAGE LENDING IN HAWAII," was jointly offered by Representatives Shimabukuro, Belatti, Chang, Hanohano, Lee, Magaoay, Manahan, McKelvey, M. Oshiro, Wakai, Berg, Brower, Chong, Evans, Har, Ito, Rhoads, Sagum, Tokioka, Tsuji and Yamashita.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A LEGISLATIVE INTERIM TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR THE CREATION OF UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," was jointly offered by Representatives Shimabukuro, Belatti, Chang, Hanohano, Har, Lee, Magaoay, Manahan, McKelvey, M. Oshiro, Wakai, Berg, Brower, Chong, Evans, Ito, Rhoads, Sagum, Tokioka, Tsuji and Yamashita.

ANNOUNCEMENTS

Representative Brower: "Thank you, Mr. Speaker. Just an announcement. This Monday, an informational briefing by the Committee on Agriculture on Hawaii's agriculture in the 21st century. We'll be learning about national and global perspectives of Hawaii's role on crop biotechnology. And also informational briefings on the papaya and seed industry, anthuriums and biofuels and biotechnology. That will be Monday, 9 a.m. Conference Room 325. Committee on Agriculture."

Representative Evans: "I wish to announce to my colleagues that following session today, there will be lunch served with our honorees from Fort Shafter in Conference Room 423. Please come by and join us."

Representative Pine: "Mr. Speaker, I just wanted to announce one of the two birthdays that we have here on the House Floor. This particular representative, Mr. Speaker, some will say had a tough life. He is a Vietnam War veteran, served in the Peace Corps, but nothing could be tougher than being the only man in a Caucus full of strong women. So I want us to all celebrate and thank Gene Ward for surviving among us. Happy Birthday, Mr. Ward."

Representative Caldwell: "Mr. Speaker, we also have another birthday. And I'd like us all to recognize someone we affectionately call 'McAngus.' Also known as Rep. McKelvey from Lahaina, who is also a distinguished handsome, debonair and well-respected bachelor in Lahaina. Rep. McKelvey, would you please stand up. Happy Birthday."

Representative McKelvey: "Thank you so much to the Members of this Chamber. I don't know if Mr. Caldwell, the Representative of Manoa is trying to ask me out. But I do have to share with you a present from the good Representative of Kailua-Kona gave me, only because I think it's very fitting, given my new nickname and of course my given name.

"Members may I share with you, a little slice of aloha from Lahaina, Maui. So thank you Representative, and thank you Members of this Chamber for helping me celebrate a great birthday. And again, Representative Ward, happy birthday, sir."

Representative Tokioka: "On behalf of the freshman class, we'd like to acknowledge McAngus' birthday as well. And especially I'd like to thank him for sending out the invitations to his surprise birthday party in his office at 11 o'clock today. Thank you for that invitation, Angus. Congratulations."

ADJOURNMENT

At 12:49 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 12, 2007. (Representatives Bertram, Chang, Har, Herkes, Meyer, Nakasone, Saiki, Souki, Takamine and Thielen were excused.)

TWENTY-NINTH DAY

Monday, March 12, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Steve Mackey of the San Francisco Rainbow Seventh Day Adventist Church, after which the Roll was called showing all members present with the exception of Representatives Carroll, Manahan and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Eighth Day was deferred.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee introduced high school seniors from Mountain View Academy in Mountain View, California, and their sponsors, Douglas and Vicky Knecht, and Steve and Lindy Mackey. They were accompanied by Representative's legislative staff, Mr. Mark Ferguson.

Representative Lee introduced, on behalf of Representative Yamane and herself, third grade students from Mililani Ike Elementary School, accompanied by teachers, Ms. Kristi Kai, Ms. Celeste Sekigawa and Ms. Sheri Sakamoto-Horn; and chaperones, Ms. Shiela Toriki, Ms. Ann Nakasato, Ms. Kathy King, Ms. Cindy Leong, Ms. Kathy Cook and Mr. Troy Johnson.

Representative Karamatsu introduced 19 students participating in the Youth for Christ Center for Tomorrow's Leaders Class of 2006-2007, accompanied by Mr. Keli'i Akina, President; Mrs. Patty Akina, Co-Founder; Mr. Robert Duren of Leeward Community Church; his legislative staff, Ms. Jennifer Nakanishi; and Representative Finnegan's staff, Ms. Malia Gray.

Representative Cabanilla introduced from Figg Engineering, Ms. Linda Figg, President and CEO, and Mr. Denny Pate, Senior Vice President; from the Hawaii Highway Users Alliance, Ms. Dale Evans; and from the University of Hawaii, Dr. Panos Prevedouros, Professor of Civil Engineering.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
1805, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1816, SD1	Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
1818, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1820, SD1	Committee on Education, then to the Committee on Finance
1823, SD1	Committee on Tourism & Culture, then to the Committee on Finance
1833, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1837, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1838, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
1839, SD2	Committee on Finance
1840, SD1	Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
1848, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1853, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1877, SD2	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
1882, SD2	Committee on Finance
1891, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
1916, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance
1917, SD3	Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1918, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
1919, SD2	Committee on Human Services & Housing, then to the Committee on Finance
1920, SD2	Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1922, SD2	Committee on Higher Education, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance
1923, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
1924, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

1925, SD2 Committee on Human Services & Housing, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1926, SD1 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

1928, SD2 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

1929, SD2 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1931, SD2 Jointly to the Committee on Education and the Committee on Higher Education, then jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1932, SD2 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

1933, SD2 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1934, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Finance

1935, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

1937, SD2 Committee on Human Services & Housing, then to the Committee on Finance

1943, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Agriculture

1946, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1947, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

1948, SD1 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1950, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

1961, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1962, SD2 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1969, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

1988, SD1 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

1991, SD1 Committee on Human Services & Housing, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
50, SD1	Committee on Health, then to the Committee on Finance
98, SD1	Jointly to the Committee on Education and the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance
1115, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 66) was announced by the Clerk and the following action taken:

H.R. No. 66, entitled: "HOUSE RESOLUTION CONGRATULATING DR. JEFFREY AKAKA UPON HIS ASSUMPTION OF THE OFFICE OF SPEAKER OF THE ASSEMBLY OF THE AMERICAN PSYCHIATRIC ASSOCIATION," was jointly offered by Representatives Finnegan and Chang.

Representative Finnegan moved that H.R. No. 66 be adopted, seconded by Representative Chang.

Representative Finnegan introduced and recognized Dr. Jeffrey Akaka, accompanied by his wife, Mrs. Gayln Akaka.

Representative Chang introduced the following who were seated in the gallery:

Department of Health
Dr. Chiyome Fukino, Director.

Adult Mental Health Division
Dr. Tom Hester, Clinical Director;
Mr. Wayne Law, Administrator; and
Dr. Bill Sheehan, Medical Director.

Diamond Head Community Mental Health Center
Ms. Cindy Means; and
Ms. Lena Lum.

Representative Chang also introduced Dr. Akaka's mother, Ms. Mary Louise Jeffrey Akaka, and sister, Ms. Fenner Shupe, who were seated in the gallery.

Representative Ward further recognized Dr. Akaka.

The motion was put to vote by the Chair and carried, and H.R. No. 66 was adopted with Representatives Carroll, Manahan, Nakasone and Thielen being excused.

The following resolution (H.R. No. 67) was announced by the Clerk and the following action taken:

H.R. No. 67, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING KANOE KAMANA`O FOR HER NUMEROUS ACCOLADES AND NOTEWORTHY CONTRIBUTIONS TO THE UNIVERSITY OF HAWAII AT MANOA RAINBOW WAHINE VOLLEYBALL TEAM," was jointly offered by Representatives Nishimoto and Tsuji.

Representative Nishimoto moved that H.R. No. 67 be adopted, seconded by Representative Tsuji.

Representative Nishimoto introduced and recognized the honoree, Ms. Kanoe Kamana'o, accompanied by team manager, Mr. Ryan Tsuji.

Representative Tsuji further recognized Ms. Kamana'o.

The motion was put to vote by the Chair and carried, and H.R. No. 67 was adopted with Representatives Carroll, Manahan, Nakasone and Thielen being excused.

At 12:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:10 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Berg, Carroll, Luke, Manahan, Souki, Takai and Thielen were excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1213) recommending that H.B. No. 1200, as amended in HD 1, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 1200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Third Reading by a vote of 44 ayes, with Representatives Berg, Carroll, Luke, Manahan, Souki, Takai and Thielen being excused.

At 1:10 o'clock p.m., the Chair noted that H.B. No. 1200, HD 1, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1214) recommending that H.B. No. 1212, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative M. Oshiro, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 1212, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 44 ayes, with Representatives Berg, Carroll, Luke, Manahan, Souki, Takai and Thielen being excused.

At 1:11 o'clock p.m., the Chair noted that H.B. No. 1212, HD 2, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1218) recommending that S.B. No. 958, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 958, SD 1, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 1218. Mr. Speaker, this is a good bill which I agree with the contents and its intentions, and we do need a moratorium on *kalo*. We need to maintain that relationship, spiritual, nutritional between the Hawaiian people and that plant. However, more recently, some of the taro that has come in from China and others, we should for the sake of survival of the fittest or diversification, if anything hits the island, we will not have all of our 'eggs in one basket'.

"So, Mr. Speaker, while it is well-intended, I think some of the more recent arrivals, should not be denied genetic modification, but be there for strength and other purposes for the future. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. A very similar bill was heard in the House, and it was amended to make the moratorium five years, which in my mind gives a little bit of leeway. I can't help but think about how we would not have the very fine business we have of selling papaya today without this genetic modification technique being used to save the crop of papaya. We did hear testimony that in Samoa their taro has been almost decimated because of, I don't know what the insect or what chemical thing is going on, but my fear is that we could have something like that happen here and then we wouldn't have any *kalo*.

"In the Committee, the President of the Research of Agriculture, Human Resources from the University of Hawaii, the Hawaii Agriculture Research Center, the Hawaii Crop Improvement Association, the Hawaii Science and Technology Council, and many others had very strong considerations about this bill, and so that's why I have reservations."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to this measure. I feel that it is too broad to have a 10-year moratorium on the developing, testing, propagating, cultivating, raising and growing of genetically modified taro in Hawaii. I agree with the speaker from Hawaii Kai who said it should be restricted to the types of taro that were traditionally grown by the Hawaiians, but there are 70 or 80 varieties, and whether we should have such a strict moratorium and long moratorium on all varieties is questionable. Especially, I feel that we should allow some testing and research on certain varieties just for the preservation of the plant. Thank you very much."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just note my reservations for similar reasons."

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 958, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," passed Second Reading and was referred to the Committee on Agriculture with Representative Marumoto voting no, and with Representatives Carroll, Manahan and Thielen being excused.

THIRD READING

H.B. No. 500, HD 1:

Representative M. Oshiro moved that H.B. No. 500, HD 1, pass Third Reading, seconded by Representative Lee.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Mr. Speaker, fiscal year 2006 left state coffers brimming with a surplus not seen in over a decade. On June 30, 2006, the State had over $700 million in the general fund. Because there is so much demand on the resources available, it was even more critical that the budget benefit from the input of many.

"Mr. Speaker, I'd first like to thank the Leadership and all the Committee Chairs for providing the framework for this budget. The many hours spent putting together proposals to help all our communities is appreciated and welcomed.

"I'd also like to thank the members and efforts of the Finance Committee. We started this journey in January, Mr. Speaker, right after the new year, and then we spent weeks leading up to Opening Day in lengthy budget briefings, asking the tough questions that helped prioritize where taxpayers' dollars would be spent.

"Mr. Speaker, I thank the Finance Committee staff for all their hard work and time dedicated to analyzing the details of the budget and all the other bills that affect the budget. At this time, Mr. Speaker, I ask for permission to insert their names and assignments of the Finance Committee staff into the Journal," and the Chair "so ordered."

Representative M. Oshiro continued, stated:

"And then finally, Mr. Speaker, I'd like to acknowledge and thank the tremendous contribution of Vice Chair Marilyn Lee. Not only does she make sure that the Committee was well fed and hydrated, but she also helped manage and run all of our committee hearings; and provided valuable insight into the legislation we passed.

"Mr. Speaker, we are at a crossroads today. Although fiscal year 2006 ended with a surplus of over $700 million, the projected balance at the end of the current fiscal year, fiscal year 2007, is slightly above $400 million. While Hawaii's economy continues to grow, signs point to a slower growth rate in the near future. As stewards, our challenge is to craft a balanced budget that responds to the needs of the community, and demands of the community with a focus on increasing the quality of life of Hawaii's people, while yet remaining fiscally prudent. By providing meaningful investment in our education system and our health and human services programs, your Committee on Finance has crafted a budget that invests in our State's greatest resource – its people.

"The budget before us, Mr. Speaker, invests in the Department of Education and the University of Hawaii to fix our public schools and University facilities and to better prepare our children.

"The budget before us, Mr. Speaker, continues to provide resources to assist the homeless population and ensure the availability of affordable housing now and in the future.

"The budget before us increases healthcare coverage, shores up our emergency medical services systems, and provides critical funding to rural health clinics and hospitals.

"The budget before us, Mr. Speaker, makes sure that resources and systems are in place to take care of people in times of crisis or natural disaster.

"And the budget before us assures that proper medical and rehabilitative care, mental health services, and job training and employment services will be available to our soldiers when they return from serving our country.

"Mr. Speaker, on Opening Day you declared that,

> We must continue to invest in the intellectual capital we have built in ocean sciences, natural energy research, astronomy, life sciences, technology and agricultural development. And we must continue to invest in the resources that help build the intellectual capital of our children.

"Our children are our most precious resource. Our first, and perhaps our greatest single priority is to ensure them a safe and prosperous future. That future, Mr. Speaker, begins with a safe, clean, and productive learning environment."

Representative Sonson rose to yield his time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. Thank you, Representative Sonson. Mr. Speaker, we can't expect our children to learn if they can't get to school, or are hungry when they get there. We can't expect our children to learn math, science, and robotics if the power is going to be turned off on them. This budget provides critical funding for basic needs such as electricity, food services and student transportation that was significantly underfunded in the Governor's proposal. Our proposal, this budget, restores the funding cut by the Governor.

"When we examined the Governor's budget, Mr. Speaker, we found that she provided the DOE with no money for fixing our schools. Last year the Legislature provided the DOE with enough money to cut their repair and maintenance backlog by one-third. But our work is not done. This budget contains and continues the excellent work began last year by providing another $75 million to repair and maintain our schools. This budget also provides $25 million for electrical upgrades Statewide, a necessity if a science, technology, engineering and math type curriculum is going to work.

"Mr. Speaker, much has been made recently of supposedly new initiatives to better prepare our children to attain jobs in high technology fields. But all too often we pay attention to what's wrong with our education system, and fail to acknowledge the innovative curricula already in place. The Governor made much ado about emphasizing the teaching of science, technology, engineering and math skills or STEM in her State of the State Address in January. The Governor went on to detail a "plan" to help students master STEM skills. However, the Governor neglected to mention that such programs already exist, but haven't been given the chance or support to expand. For example, Mr. Speaker, initiatives such as Project EAST have been around for 7 years on Maui and have emphasized the same things that STEM purports to exemplify. Rather than trying to re-invent the wheel, let's support the hard working teachers and communities that have created innovative programs and curricula at the DOE and the community colleges. Mr. Speaker, that is exactly what this budget does.

"Mr. Speaker, we could have the best primary educational system available, but it would be wasted if it wasn't also a door to higher

learning opportunities. Our parents and grandparents fought long and hard to ensure that Hawaii provides equal opportunity for all. Once again, we stand at a crossroad. We must not leave anyone behind.

"Last year, the Legislature invested in programs at the community college and university levels that would ensure a skilled workforce in shortage industries. The budget provides $4.8 million to continue and expand that effort.

"The hopes and dreams of students can be stalled if essential classes are not made available. This budget provides $3.4 million to the Community College System to allow them to add additional classes when the need arises. This money would allow the Community College System to hire additional lecturers when needed instead of canceling classes."

Representative Green rose to yield his time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. Thank you, Representative Green. Mr. Speaker, initiatives to expand and increase our inventory of affordable housing and services to the homeless was one of the centerpieces in the budget last year. What we started last year is already imbedded in this budget. Additionally, we are proposing to drop-in $15 million into the Rental Housing Trust Fund to enhance its ability to develop affordable housing. This amount, Mr. Speaker, is in addition to over $30 million proposed in other bills.

"Preventive and emergency medical services provided in our rural communities are of great concern, especially with healthcare facilities threatening to close their doors as a result of losses from providing indigent and charitable care. To ensure ready access to these healthcare services, this budget provides over $4 million to clinics and hospitals in your communities across the State.

"Mr. Speaker, cuts in federal funding have already caused this budget to increase by more than $25 million. Other cuts threaten the capacity of the Hawaii National Guard to respond to State missions. The Air National Guard has indicated that their operations and maintenance funds were cut by the federal government by 4 percent in FY 2005 and 18 percent in FY 2006. The Army Guard had their operations and maintenance budget reduced by $7.5 million from FY 2006 to FY 2007. Unfortunately, Mr. Speaker, with the Bush Administration's decision to maintain or increase troop levels in Iraq, both the Air and Army Guard are anticipating additional cutbacks in federal funding. This budget requires the State Department of Defense to conduct an assessment on the readiness of our Air and Army Guard to respond to local disasters as a result of the federal cutbacks.

"Mr. Speaker, a major threat to our unique natural resources is the far-reaching negative effects of invasive species on our native habitats. A rapid, effective, and proven response to invasive species is necessary. This budget, Mr. Speaker, provides $500,000, not included in the Governor's budget, for the Invicta manifest system to better aid in the control of, and rapid response to, invasive species. This manifest system, Mr. Speaker, will catalogue shipments moving into and through the State and will help prioritize inspections to intercept the highest-risk cargo.

"Finally, Mr. Speaker, we are deeply concerned by recent revelations of veterans returning and inadequacy of services. And despite how people may feel about the Bush Administration's rationale for engaging in a war in Iraq or entering into military actions in Afghanistan, the men and women of our armed forces and the Hawaii National Guard deserve our gratitude and wholehearted support. To that end, we must work to ensure appropriate and adequate services for our veterans. This budget provides funds to the Office of Veteran Services to undertake a comprehensive assessment of the adequacy of mental health, medical, job training, and employment services for veterans. We are committed to seeing that the moral mistake of failing to provide appropriate services to veterans who return home is not repeated. The resulting pain, indignity, and loss of human potential must not be inflicted upon another generation of veterans.

"Mr. Speaker, while Hawaii has enjoyed a very robust economy in recent years, there are troubling signs for Hawaii's economic future. Government must ride the economic waves and alter its spending as the economy rises and falls.

"As much as your Committee would like to commit resources to the many of the initiatives endorsed by the Governor, your Committee must look to the future, and at the same time, commit to finishing up the valuable, critical work initiated by prior Legislatures. Economic momentum cannot be sustained without investment in the basics. That is why we must finish what we started in fixing our schools and get back to the basics – investing in our people.

"I urge my colleagues support. Thank you, Mr. Speaker."

Representative M. Oshiro submitted the names and assignments of the Committee staff as follows:

Committee Clerk: Nandana Kalupahana
Budget Chief: Michael Ng
Budget Supervisor: Eric Nouchi
CIP Specialist: Brian Hallett
Budget Analysts:
Leslie Goo
Robin Kindred
Jacob Nakasone
Alana Taniguchi
Blake Yoshiura

Research Chief: Randall Hiyoto
Research Supervisor: Stacey Tagala
Bill Researchers:
Roza Briskovic
Jordann Ares
Danny Vasconcellos

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. Thank you, Mr. Speaker. As we know, and as it's noted in the Committee Report that the budget process and the budget bill is an extensive one, and we did do our analysis of the budget, Mr. Speaker. There are several things that I would like to bring up and maybe I won't go into the detail of them. I had some questions with the charter school budget, where this tax relief belongs and all of this, the Education CIP Project Process. And, as you know, this is a work in progress.

"The one thing that keeps haunting me in regards to this process is something that the Minority has brought up for years, at least since I've been here. We talk about having a six-year financial plan, and I do know that there is a six-year financial plan that is also in the Governor's Budget-in-Brief when she send it down. That would be so helpful to giving us direction as to where the House is planning to go and how it's going to affect us in the future. I've been told that it's intellectual property. I'm not sure if that's intellectual property of the Majority or intellectual property of the Finance Committee, but I do believe that it's essential to the Minority's work in reviewing the analysis of where this budget is going to go. I think a six-year financial plan will not only bring transparency and guidance, but it's just going to help us.

"I refer to my Opening Day speech when we were talking about making calculated risks and having my daughter jumping off the bridge. But knowing several other factors and information so that we would know, so she would know, whether or not she was taking more of a risk than she should. And that can happen. We can be

better prepared if we have a six-year financial plan that is shared with the Minority, as well. Mr. Speaker, I do respect the process and that's why I'm voting with reservations.

"I would like to also talk about, a little bit about what was said above the Governor and some of the initiatives that she had. As I was sitting here and listening to the reasoning, that's what a governor does. A governor comes out with a vision for the state. Sometimes, if you have a governor like our Governor, in which she's been very successful at communicating that to the people of Hawaii, you can actually help the existing programs even if you don't necessarily talk about them. For instance, STEM and robotics have now become something that many people are aware of instead of the little clusters of people that are working within STEM and robotics right now. Just because she may not have spoken about Project EAST or some of these other things, I think by raising the level of science and mathematics and raising that level and saying you cannot promote robotics or at least right now. When she promoted robotics, she pointed out to our current DOE and our current schools that are doing robotics.

"Mr. Speaker, what I'm saying is this is a partnership, a partnership that can be, we can be using the Governor's initiatives and the things that I believe I said in my Opening Day speech, about Democrat and Republican ideas that are best for the people. I think that in this budget, there are many areas that reflect that.

"Also in reading this Committee Report, I really tried to get past some of the 'potshots' that were taken, that were being said, and I just want to go back to several areas in which I'll be looking forward to seeing how we're going to spend the State's money or the people's money, the increased CIP amounts that are passing through the Legislature. The GIAs are a big factor, as well. And then, of course, the other part about the six-year financial plan and when we talk about whether or not we can afford it with the increased debt service that we're proposing. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise equally with reservations. And, Mr. Speaker, I rise with a unique opportunity to speak with such a surplus that I've never had the privilege to speak of before, but given the Chair of Finance, you would never think there was an association between the Governor and why there is such a surplus given the contexts of some of the comments, but that's another issue.

"First, to thank the Chair of Finance for a yeoman's job, a difficult job, a longstanding, a long hard fought late nights, and a lot of staff help that really made it where we are today. The specific issues I have regarding the budget are a macro and a micro. First, the micro, Mr. Speaker. Some of us believe very strongly in this Chamber that our environment is our economy and our economy is our environment. The Governor recognizes this very, very strongly, and to do the maintenance and the supervision of our environment, we need DOCARE officers. She put in 20 DOCARE officers. We, not the Committee, but the staff, cut it down to four. I have a problem not only because it's cut, because of the process that we had no consultation to whatsoever. And that is an endangerment to the environment, which is a very, very important problem which leads me to the second issue.

"What is missing is the people's refund that we promised them which constitutionally we are mandated. I don't see it anywhere in the budget. That's a big *puka* to speak to, hopefully, in the near future.

"Now, regarding the macro issues that I spoke of. There's got to be a better way, Mr. Speaker, and I know you were Finance Chair, than just zeroing out everybody's budget request and putting it in a defective date. There's got to be a better way. I was reminded yesterday with the *Advertiser*, two pages on openness, two pages on the notion of transparency. You can imagine what the people out there must feel if we on the Committee ourselves are not privy to some of those very, very important decision making. So, while this is a work in progress, I hope it doesn't forget the environment, number one; doesn't forget the people, number two, the refund; and lastly, the transparency that everyone needs. Thank you, Mr. Speaker."

Representative Pine rose to disclose a potential conflict of interest, stating:

"I wish to declare a potential conflict. The Finance Chair kind of reminded me that I may have a couple of conflicts in this bill. I currently work with homeless families, and lately, I've been working with a lot of veterans coming back from Iraq who will become homeless," and the Chair ruled "no conflict."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I wasn't going to say anything and I don't speak too often on these things, but in reference to the Representative from Hawaii Kai, I have to stand up and say that we were all at that meeting and we were all given the opportunity to vote our conscience. And I will say that the staff makes recommendations. The Committee members vote on the items. So, when we're talking about the 20 positions from DLNR, we're still a long way from the final goals of the budget. They were concerns that were brought up in the Committee, but we're still a long way away.

"I will take responsibility as a member who voted for that budget at that time. I would also say that in the budget presentations that the Governor presented, there are a lot of concerns, especially when it comes to the electricity and the schools as was said in the comments that the Finance Chair made. So, for that, Mr. Speaker, I will stand up and say we all had a part in the process and we all voted. I will not blame the staff for what happened. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. First, I would like to express my heartfelt thanks to the Chairman of Finance. He has been far more open than what I've experienced in the past. There has been a good collegiality on the Committee, but, of course, there are so many pieces to the budget. It's hard to put your arms around it.

"We had a good session on a Saturday where we were taken through the worksheets, not every department, but quite a few of them, and I think there was a lot more understanding. There were open questions and that was a very good process. I have nothing but the utmost respect for the Vice Chair who remains pleasant and is there in the room for hours on end, while many of us are up and down and out of there, but she maintains the decorum and is doing a great job.

"When I did go through some of the worksheets, one of the things I was a little disappointed in was that the Governor and the Department of Defense had asked for $117,000 to be used as raises for the National Guard. That wasn't in there, but there was a raise for the Adjutant General, a substantial one, and I would have liked to have seen it the other way.

"Another entry in the Department of Education which I question, was a $2 million appropriation over the biennium, $1 million each year for the superintendent to apparently do whatever she wants. It's just those two things and I realize I used to object to the Chairman talking about its work in progress, but now those are the very things that come up in my mind. That it absolutely is a work in progress and it's a moving target and things will become clearer as we go along. Thank you, Mr. Speaker."

Representative Lee rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support. I just wanted to make a correction to something that was said by the Representative from Hawaii Kai regarding DOCARE. In the budget request, there were four supervisor and clerical positions requested, as well as seven officers in the budget. There are also 11 vacancies that can be filled. This actually totals up to 22 positions, so, actually, the statements made before were actually incorrect. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 48 ayes, with Representatives Carroll, Manahan and Thielen being excused.

At 1:43 o'clock p.m., the Chair noted that H.B. No. 500, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 55 through 65) and concurrent resolution (H.C.R No. 79 through 88) were referred to Printing and further action was deferred:

H.R. No. 55, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY AND AUDIT OF THE WORKERS' COMPENSATION SYSTEM IN HAWAII," was jointly offered by Representatives Sonson, Berg, Hanohano, McKelvey, Wakai, Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Rhoads, Tokioka and Tsuji.

H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS TO DETERMINE THEIR FEASIBILITY AS VIABLE HEALTH INSURANCE PLANS FOR PUBLIC EMPLOYEES, RETIREES, AND THEIR DEPENDENTS," was jointly offered by Representatives Sonson, Hanohano, Awana, Belatti, Bertram, Brower, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Tokioka, Tsuji, Wakai and Ward.

H.R. No. 57, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was jointly offered by Representatives Magaoay, Belatti, Berg, Cabanilla, Ching, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sagum, Sonson, Tokioka, Tsuji, Chang, Finnegan and Wakai.

H.R. No. 58, entitled: "HOUSE RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," was offered by Representative Berg.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was offered by Representative Berg.

H.R. No. 60, entitled: "HOUSE RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was offered by Representative Berg.

H.R. No. 61, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, Sonson, Takai, Wakai, Magaoay, Sagum, Yamane and Yamashita.

H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE EXECUTIVE AND LEGISLATIVE LEADERSHIP IN THE STATE OF HAWAII TO SUPPORT THE IRAQ STUDY GROUP FINDINGS AND TO IMPLEMENT THE IRAQ STUDY GROUP RECOMMENDATIONS," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, M. Oshiro, Takai, Wakai, Magaoay, Sagum, Sonson, Yamane and Yamashita.

H.R. No. 63, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Magaoay, Mizuno, Morita, Nishimoto, M. Oshiro, Sagum, Sonson, Takai, Wakai, Yamane and Yamashita.

H.R. No. 64, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE PRACTICALITY OF HAVING A RESTRUCTURED ACCREDITATION PROCESS FOR PUBLIC SCHOOLS IN THE STATE OF HAWAII," was offered by Representative Takai, by request.

H.R. No. 65, entitled: "HOUSE RESOLUTION RESPECTFULLY CALLING UPON THE UNITED NATIONS GENERAL ASSEMBLY TO REQUEST BY RESOLUTION THAT THE UNITED NATIONS OFFICE FOR OUTER SPACE AFFAIRS PROACTIVELY ADVANCE THE CAUSE OF WORLD PEACE AND COOPERATION BETWEEN NATIONS," was jointly offered by Representatives Mizuno, by request, Cabanilla, Brower, Magaoay, Nishimoto, Souki and Yamashita.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY AND AUDIT OF THE WORKERS' COMPENSATION SYSTEM IN HAWAII," was jointly offered by Representatives Sonson, Berg, Hanohano, McKelvey, Tokioka, Wakai, Awana, Belatti, Bertram, Brower, Cabanilla, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Rhoads and Tsuji.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS TO DETERMINE THEIR FEASIBILITY AS VIABLE HEALTH INSURANCE PLANS FOR PUBLIC EMPLOYEES, RETIREES, AND THEIR DEPENDENTS," was jointly offered by Representatives Sonson, Hanohano, Awana, Belatti, Bertram, Brower, Caldwell, Chang, Evans, Luke, Manahan, Mizuno, Morita, Nishimoto, Pine, Tokioka, Tsuji, Wakai and Ward.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was jointly offered by Representatives Magaoay, Belatti, Berg, Cabanilla, Ching, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sagum, Sonson, Tokioka, Tsuji, Wakai, Chang and Finnegan.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," was offered by Representative Berg.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was offered by Representative Berg.

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was offered by Representative Berg.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, Sonson, Takai, Wakai, Magaoay, Sagum, Yamane and Yamashita.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE AND LEGISLATIVE LEADERSHIP IN THE STATE OF HAWAII TO SUPPORT THE IRAQ STUDY GROUP FINDINGS AND TO IMPLEMENT THE IRAQ STUDY GROUP RECOMMENDATIONS," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Mizuno, Morita, Nishimoto, M. Oshiro, Takai, Wakai, Magaoay, Sagum, Sonson, Yamane and Yamashita.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was jointly offered by Representatives Takumi, Belatti, Berg, Caldwell, Green, Lee, Luke, Magaoay, Mizuno, Morita, Nishimoto, M. Oshiro, Sonson, Takai, Wakai, Yamane, Sagum and Yamashita.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE PRACTICALITY OF HAVING A RESTRUCTURED ACCREDITATION PROCESS FOR PUBLIC SCHOOLS IN THE STATE OF HAWAII," was offered by Representative Takai, by request.

ANNOUNCEMENTS

Speaker Say: "Members, please look on pages A through L where you will note your public hearing notices."

Representative Ching: "I was reminded today by the fact that we have some illustrious sons of legislators. I did want to announce that over the weekend I was privileged to see the St. Louis Players perform *Beauty and the Beast*. And while some of you have served on our Tourism and Arts Committee, we think that you have to go to New York to see something of this caliber. Well, you don't. You just have to go up to Waialae Avenue.

"This is a very impressive production, not only technically, but artistically. But especially talented, talentwise. I've always grown up knowing the superbness of the football team of St. Louis, but now I understand that they are talented in many other areas as well, extremely talented. And I might add that there's a Michael J. Magaoay who plays Cogsworth, and I'm going to read a little bit.

"He makes a historical debut. He's a junior at St. Louis School, where he's on the President's List, a member of the National Honor Society and enjoys playing volleyball, participating in the Filipino Heritage Club and Chinese Club. And this is the son of our North Shore Representative.

"So, I just want to urge everyone to go to this. It's the last weekend, Thursday, Friday, Saturday, all at 7:30, and Sunday, the matinee, is at 4:00 at Mamiya Theater, and congratulations to the St. Louis Players."

Representative Chong for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement to hear S.B. No. 933, SD 1, Relating to Land Acquisitions, and the Chair "so ordered."

Representative Mizuno for the Committee on Health requested a waiver of the 48-hour advanced notice requirement to hear S.B. No. 1804, SD 2.

Representative Mizuno: "The reason for that is we need to meet the filing deadline this Thursday. Also, the House companion bill is dead. It didn't crossover, so this is our vehicle," and the Chair "so ordered."

Representative Brower: "Thank you, Mr. Speaker. Just a reminder that we have two meetings for the Committee on Agriculture tomorrow starting at 10:00 a.m. in Room 325, with decision making to follow. Thank you."

Representative McKelvey: "Mr. Speaker, thank you. Just a correction. Your Committee on Consumer Protection and Commerce will begin our hearing today at 3:00 p.m., and not 2:00 p.m. as indicated in the Order of the Day."

Representative Cabanilla: "Mr. Speaker, I would like to invite my colleagues to attend this information briefing on learning how to build bridges in Room 224. That starts at 2:00. Thank you."

ADJOURNMENT

At 1:47 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 13, 2007. (Representatives Carroll, Manahan and Thielen were excused.)

THIRTIETH DAY

Tuesday, March 13, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Earl Maikahikinapamaikala Tenn, President, Ka 'Ohana Aloha for Tourism, after which the Roll was called showing all members present with the exception of Representatives Lee, McKelvey, Pine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Ninth Day was deferred.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 429) was received and announced by the Clerk:

Sen. Com. No. 429, transmitting S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO WORK WITH APPROPRIATE ENTITIES TO EXTEND THE LENGTH OF THE SCHOOL DAY TO ACCOMMODATE INCREASED PHYSICAL EDUCATION, ART, AND MUSIC REQUIREMENTS, AND OTHER SPECIAL PROJECTS, WHICH MAY INCLUDE AFTER SCHOOL ACTIVITIES AND COMPETITIONS," which was adopted by the Senate on March 12, 2007.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Hanohano introduced her friends, Mrs. Maave Maave and her family from Puna.

Representative Wakai introduced his friends, Mr. Richard and Mrs. Marishyl Ford of Atlanta, Georgia, their infant daughter, Evelyn.

Representative Tsuji introduced Mr. Eric Tanouye, Vice President of Green Point Nurseries in Hilo.

Representative M. Oshiro introduced a Wahiawa resident, Mr. Dan Nakasone.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
55	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
56	Committee on Labor & Public Employment, then to the Committee on Education, then to the Committee on Legislative Management
57	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
58	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
59	Committee on Education
60	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
61	Committee on Labor & Public Employment
62	Committee on Public Safety & Military Affairs
63	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
64	Committee on Education
65	Committee on International Affairs, then jointly to the Committee on Higher Education and the Committee on Public Safety & Military Affairs

H.C.R. Nos.	Referred to:
79	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
80	Committee on Labor & Public Employment, then to the Committee on Education, then to the Committee on Legislative Management
81	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
82	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
83	Committee on Education
84	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
85	Committee on Labor & Public Employment
86	Committee on Public Safety & Military Affairs
87	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
88	Committee on Education

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:

227, SD1 Committee on Finance

620, SD1 Committee on Finance

664, SD1 Committee on Finance

707, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

835, SD1 Committee on Agriculture, then to the Committee on Finance

871, SD2 Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1016, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

1092 Committee on Finance

1214 Committee on Finance

1920, SD2 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1947, SD1 Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 87) was announced by the Clerk and the following action taken:

H.R. No. 87, entitled: "HOUSE RESOLUTION HONORING THE 2007 HAWAII BUSINESS HALL OF FAME LAUREATES: JOSEPH NICOLAI, PAUL C.T. LOO, HAROLD TANOUYE, JR., AND THE LATE RICHARD DWAYNE "NAKILA" STEELE," was jointly offered by Representatives Meyer and Ward.

Representative Meyer moved that H.R. No. 87 be adopted, seconded by Representative Ward.

Representative Meyer introduced Mr. Steven Grant, President of the Hawaii Chapter of Junior Achievement, who was seated on the floor of the House.

Representatives Meyer and Ward introduced the 2007 Hawaii Business Hall of Fame Laureates who were seated on the floor of the House:

Mr. Bill Pike representing the late Richard Dwayne "Nakila" Steele, President, Grace Pacific;

Mr. Harold Tanouye, Jr., Green Point Nurseries;

Mr. Paul Loo, Executive Director, Hawaii Complex of Morgan Stanley; and

Mr. Joseph Nicolai, JN Automotive Group.

Representative Meyer then introduced the following who were seated in the gallery:

Mr. Norman Doi, Chairman of the Board, Junior Achievement;
Mr. Eric Tanouye, Green Point Nurseries;
Mr. Dan Nakasone, Green Point Nurseries; and
Mr. Matthew Loke, Hawaii State Department of Agriculture.

The motion was put to vote by the Chair and carried, and H.R. No. 87 was adopted with Representatives McKelvey, Nakasone, Pine and Thielen being excused.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:37 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 68 through 86) and concurrent resolution (H.C.R No. 89 through 111) were referred to Printing and further action was deferred:

H.R. No. 68, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EVALUATE THE VISITING HOURS PRACTICES OF HAWAII'S ADULT RESIDENTIAL CARE HOMES," was offered by Representative Say.

H.R. No. 69, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY POLICE DEPARTMENTS TO VIGOROUSLY ENFORCE LAWS RELATING TO THE OPERATION OF MOPEDS," was offered by Representative Say, by request.

H.R. No. 70, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, IN CONJUNCTION WITH THE ALA WAI WATERSHED ASSOCIATION, TO EVALUATE OPTIONS, POLICY FOUNDATIONS, TECHNICAL ASSESSMENTS, AND COMMUNITY INPUT REGARDING THE USE OF PUBLIC LAND TRUSTS AND PUBLIC EASEMENTS TO REDUCE FLOODING AND POLLUTION IN THE ALA WAI WATERSHED," was jointly offered by Representatives Say and Caldwell.

H.R. No. 71, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INVESTIGATE HAWAIIAN ELECTRIC COMPANY'S RESPONSE TO THE POWER OUTAGE RESULTING FROM THE OCTOBER 15, 2006, EARTHQUAKES," was offered by Representative Say, by request.

H.R. No. 72, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF REQUIRING HIGH-RISE BUILDINGS TO MAINTAIN BACKUP ELECTRICAL GENERATION CAPACITY IN THE EVENT OF POWER FAILURES," was offered by Representative Say, by request.

H.R. No. 73, entitled: "HOUSE RESOLUTION SUPPORTING THE OFFICE OF HAWAIIAN AFFAIRS NATION-BUILDING PLAN, HO`OULU LAHUI ALOHA, TO RAISE A BELOVED NATION," was offered by Representative Say, by request.

H.R. No. 74, entitled: "HOUSE RESOLUTION SUPPORTING THE ENACTMENT OF THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT, ALSO KNOWN AS THE AKAKA BILL," was offered by Representative Say, by request.

H.R. No. 75, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS TO CONVENE A TASK FORCE TO CONSIDER THE MERITS OF CREATING A MONUMENT TO THE CITIZENS OF THE KINGDOM OF HAWAI'I IN COLLABORATION WITH HAWAIIAN ORGANIZATIONS, RESPECTED KUPUNA IN THE HAWAIIAN COMMUNITY, AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was offered by Representative Say, by request.

H.R. No. 76, entitled: "HOUSE RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE TO CONVENE A TEMPORARY COMMISSION ON BIOPROSPECTING," was offered by Representative Say, by request.

H.R. No. 77, entitled: "HOUSE RESOLUTION REQUESTING RELIEF FROM REAL PROPERTY TAXES ON KULEANA LANDS," was offered by Representative Say, by request.

H.R. No. 78, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE REGULATION AND CONTROL OF THE BEACH CONCESSIONS AT WAIKIKI BEACH," was offered by Representative Say, by request.

H.R. No. 79, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF THE HAWAIIAN EDUCATION PROGRAM," was offered by Representative Say, by request.

H.R. No. 80, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE A PROPERTY TAX REDUCTION OR TAX CREDIT FOR, OR SOME OTHER METHOD OF COMPENSATION OR REIMBURSEMENT TO, REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES," was jointly offered by Representatives Rhoads, Belatti, Brower, Ching, Luke, Mizuno, Takai, Wakai, Finnegan, Sonson and Takumi.

H.R. No. 81, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE MAYOR WRIGHT HOMES TENANTS' ASSOCIATION," was jointly offered by Representatives Rhoads, Ching and Luke.

H.R. No. 82, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING AN AMMUNITION CODING SYSTEM AND DATABASE IN HAWAII," was jointly offered by Representatives Marumoto, Caldwell, Ching, Mizuno, Morita, Waters, Berg, Brower, Chong, Evans, Har, Karamatsu, Luke, Magaoay, Nishimoto, Shimabukuro, Souki, Tsuji, Wakai and Yamashita.

H.R. No. 83, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION ENABLING THE STATE OF HAWAII TO ADOPT CALIFORNIA'S MORE STRINGENT VEHICLE EMISSIONS STANDARDS," was jointly offered by Representatives Berg, Rhoads, Nishimoto and Waters.

H.R. No. 84, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT ON THE SHORT- AND LONG-TERM COSTS OF NOT CONDUCTING THE SYSTEMATIC HEARING AND VISION PROGRAM, AND REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO DISSEMINATE INFORMATION TO PUBLIC SCHOOL STUDENTS AND THEIR FAMILIES ON ACCESS TO COMPREHENSIVE VISION AND HEARING EXAMINATIONS," was jointly offered by Representatives Berg, Green, Hanohano, Mizuno, Morita, Nishimoto, Belatti, Chang, Evans, Herkes, Rhoads, Sagum, Sonson, Souki, Tsuji, Waters and Yamashita.

H.R. No. 85, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Herkes.

H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was offered by Representative Herkes.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXTEND ITS CURRENT LAND LEASE WITH LEAHI HOSPITAL TO FACILITATE THE EFFECTIVE PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF A CAMPUS-WIDE MASTER PLAN FOR LONG-TERM HEALTH CARE SERVICES," was offered by Representative Say.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EVALUATE THE VISITING HOURS PRACTICES OF HAWAII'S ADULT RESIDENTIAL CARE HOMES," was offered by Representative Say.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY POLICE DEPARTMENTS TO VIGOROUSLY ENFORCE LAWS RELATING TO THE OPERATION OF MOPEDS," was offered by Representative Say, by request.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, IN CONJUNCTION WITH THE ALA WAI WATERSHED ASSOCIATION, TO EVALUATE OPTIONS, POLICY FOUNDATIONS, TECHNICAL ASSESSMENTS, AND COMMUNITY INPUT REGARDING THE USE OF PUBLIC LAND TRUSTS AND PUBLIC EASEMENTS TO REDUCE FLOODING AND POLLUTION IN THE ALA WAI WATERSHED," was jointly offered by Representatives Say and Caldwell.

H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INVESTIGATE HAWAIIAN ELECTRIC COMPANY'S RESPONSE TO THE POWER OUTAGE RESULTING FROM THE OCTOBER 15, 2006, EARTHQUAKES," was offered by Representative Say, by request.

H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF REQUIRING HIGH-RISE BUILDINGS TO MAINTAIN BACKUP ELECTRICAL GENERATION CAPACITY IN THE EVENT OF POWER FAILURES," was offered by Representative Say, by request.

H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE OFFICE OF HAWAIIAN AFFAIRS NATION-BUILDING PLAN, HO`OULU LAHUI ALOHA, TO RAISE A BELOVED NATION," was offered by Representative Say, by request.

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ENACTMENT OF THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT, ALSO KNOWN AS THE AKAKA BILL," was offered by Representative Say, by request.

H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS TO CONVENE A TASK FORCE TO CONSIDER THE MERITS OF CREATING A MONUMENT TO THE CITIZENS OF THE KINGDOM OF HAWAI'I IN COLLABORATION WITH HAWAIIAN ORGANIZATIONS, RESPECTED KUPUNA IN THE HAWAIIAN COMMUNITY, AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was offered by Representative Say, by request.

H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE TO CONVENE A TEMPORARY COMMISSION ON BIOPROSPECTING," was offered by Representative Say, by request.

H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RELIEF FROM REAL PROPERTY TAXES ON KULEANA LANDS," was offered by Representative Say, by request.

H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE REGULATION AND CONTROL OF THE BEACH CONCESSIONS AT WAIKIKI BEACH," was offered by Representative Say, by request.

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF THE HAWAIIAN EDUCATION PROGRAM," was offered by Representative Say, by request.

H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE A PROPERTY TAX REDUCTION OR TAX CREDIT FOR, OR SOME OTHER METHOD OF COMPENSATION OR REIMBURSEMENT TO, REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES," was jointly offered by Representatives Rhoads, Belatti, Brower, Ching, Luke, Mizuno, Takai, Wakai, Finnegan, Sonson and Takumi.

H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE MAYOR WRIGHT HOMES TENANTS' ASSOCIATION," was jointly offered by Representatives Rhoads, Ching and Luke.

H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING AN AMMUNITION CODING SYSTEM AND DATABASE IN HAWAII," was jointly offered by Representatives Marumoto, Caldwell, Ching, Mizuno, Morita, Waters, Berg, Brower, Chong, Evans, Har, Karamatsu, Luke, Magaoay, Nishimoto, Shimabukuro, Souki, Tsuji, Wakai and Yamashita.

H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION ENABLING THE STATE OF HAWAII TO ADOPT CALIFORNIA'S MORE STRINGENT VEHICLE EMISSIONS STANDARDS," was jointly offered by Representatives Berg, Rhoads, Nishimoto, Souki and Tsuji.

H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT ON THE SHORT- AND LONG-TERM COSTS OF NOT CONDUCTING THE SYSTEMATIC HEARING AND VISION PROGRAM, AND REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO DISSEMINATE INFORMATION TO PUBLIC SCHOOL STUDENTS AND THEIR FAMILIES ON ACCESS TO COMPREHENSIVE VISION AND HEARING EXAMINATIONS," was jointly offered by Representatives Berg, Green, Hanohano, Mizuno, Morita, Nishimoto, Belatti, Chang, Evans, Herkes, Ito, McKelvey, Rhoads, Sagum, Sonson, Souki, Waters and Yamashita.

H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was jointly offered by Representatives Hanohano and Berg.

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Herkes.

H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was offered by Representative Herkes.

H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADOPT ADMINISTRATIVE RULES TO ESTABLISH UNIFORM INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR ALL COFFEE GROWN IN HAWAII," was offered by Representative Herkes.

H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES," was offered by Representative Herkes.

ANNOUNCEMENTS

Representative Takumi for the Committee on Education requested a waiver of the 48-hour advanced notice requirement to hear SB No.

96, SD 3, tomorrow, March 14 at 2:00 p.m. in Conference Room 309.

Representative Takumi: "The reason for the waiver is that we erroneously put SD 2 on the Hearing Notice instead of SD 3," and the Chair "so ordered."

Representative Berg: "Thank you, Mr. Speaker. I would like to invite our colleagues, their friends and constituents to our Human Rights Day displays tomorrow starting at 10:00 a.m. until 2:00 p.m. There will be a number of different organizations that are dedicated to and helping us enhance our quality of life. Please stop by, colleagues."

Representative Brower: "Thank you, Mr. Speaker. Just a small announcement. For food and fellowship after the session, Representative Mizuno will be hosting a small lunch in his office. Thank you."

Representative Mizuno: Thank you, Representative Brower. It's actually in Room 437 and everyone is invited. It's also with Senator Nishihara and some of our Senate colleagues. Thank you."

ADJOURNMENT

At 12:39 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 14, 2007. (Representatives McKelvey, Nakasone, Pine, Saiki and Thielen were excused.)

THIRTY-FIRST DAY

Wednesday, March 14, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:04 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered in song by Representative Lynn Finnegan, after which the Roll was called showing all members present with the exception of Representatives Herkes, Luke, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirtieth Day was deferred.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 430) was received and announced by the Clerk:

Sen. Com. No. 430, transmitting S.C.R. No. 31, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE CREATION OF A NATIONAL IDENTIFICATION CARD AND THE IMPLEMENTATION OF THE REAL ID ACT OF 2005," which was adopted by the Senate on March 13, 2007.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Marumoto, on behalf of Representatives Ward, Nishimoto and herself, introduced 5th, 6th, 7th and 8th grade students of Kaimuki Christian School and their teachers, Mrs. Chau Sachs, Mr. Jerry Hubbard, Ms. Joy Abille, Ms. Jean Holme, and Mr. Jordan Leonard.

Representative B. Oshiro introduced law students and faculty members, Mr. Tetsumi Takara, Ms. Chikako Kamigouchi, and Mr. Masanori Takeda from the University of Ryukyus Graduate School of Law in Okinawa. They were accompanied by Mr. Spencer Kimura, Associate Director of International Programs, University of Hawaii William S. Richardson School of Law.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
68	Jointly to the Committee on Health and the Committee on Human Services & Housing
69	Committee on Transportation, then to the Committee on Judiciary
70	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
71	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
72	Jointly to the Committee on Human Services & Housing and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
73	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
74	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
75	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
76	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
77	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
78	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
79	Jointly to the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
80	Jointly to the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
81	Committee on Human Services & Housing, then to the Committee on Legislative Management
82	Committee on Judiciary, then to the Committee on Legislative Management
83	Committee on Energy & Environmental Protection, then to the Committee on Transportation
84	Committee on Health, then to the Committee on Education
85	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
86	Committee on Agriculture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

H.C.R. Nos.	Referred to:
89	Committee on Health, then to the Committee on Higher Education
90	Jointly to the Committee on Health and the Committee on Human Services & Housing
91	Committee on Transportation, then to the Committee on Judiciary
92	Committee on Water, Land, Ocean Resources & Hawaiian Affairs

93	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
94	Jointly to the Committee on Human Services & Housing and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
95	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
96	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
97	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
98	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
99	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
100	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
101	Jointly to the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
102	Jointly to the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
103	Committee on Human Services & Housing, then to the Committee on Legislative Management
104	Committee on Judiciary, then to the Committee on Legislative Management
105	Committee on Energy & Environmental Protection, then to the Committee on Transportation
106	Committee on Health, then to the Committee on Education
107	Jointly to the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
108	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
109	Committee on Agriculture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
110	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
111	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

S.C.R. No.	Referred to:
18, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
1110, SD1	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
1923, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1924, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1946, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1219), recommending that H.C.R. No. 48, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 48, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONDUCT A STUDY ON PROVIDING CHILD CARE SERVICES TO CHILDREN OF STATE EMPLOYEES," was referred to the Committee on Finance with Representatives Herkes, Luke, Saiki, Souki and Thielen being excused.

At 12:13 o'clock p.m., Representative Say requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:13 o'clock p.m.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1220), recommending that H.R. No. 29, as amended in HD 1, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1221), recommending that H.C.R. No. 50, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 29, HD 1, and H.C.R. No. 50, HD 1, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Morita rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of both measures, stating:

"Mr. Speaker, I rise in strong support of Stand. Com. Rep. No. 1220, as well as Stand. Com. Rep. No. 1221. I believe that hearing resolutions such as this one and passing them sends a strong message to our community and our constituency, that if they don't have

anybody else to listen to them, they have their own local government to go to and have their issues heard.

"I believe the Committee also took some hits for hearing this Resolution from the media, but it just shows a diversity of thought in our government and in our people. It also gave the opportunity for the Committee members to listen and to hear this man's side of the story.

"On a personal level, I found that the man was indeed a hero to some, because a lot of people think that what he did by going to Mexico was a good thing because he brought back a man that is supposed to be in jail for 122 years. He committed heinous crimes and those crimes need to be repaid to our society. The person that he went after was a very famous and rich man that can actually buy his freedom from another country. And although in the process he might have committed what they call in a foreign country a crime, I think the man needs a hearing from his own local government so we as his neighbors can hear his side of the story. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. I begin by thanking not only the Chair of International Relations for hearing it, but also for speaking out with vehemence which she just did.

"This Resolution, HR 50 is simply a gesture on the part of this body to send a message to the authorities in Mexico. It's a gesture that would indicate that a man who's captured a rapist, who has terrorized and raped 86 American women, and who knows after his being in Mexico for six months how many Mexican women may have been subject to that. My office has received hundreds of calls, e-mails from Hawaii, the US and overseas on this issue. It's an outpouring of probably 98% favorable, 2% unfavorable.

"This Resolution simply asks not to extradite a man for the misdemeanor that he has been accused of. And Mr. Speaker, I think that is the essence of why this Resolution is important. In the history of the United States, in the history of this Country, I know of no instances of any man or any woman ever being extradited to a foreign country for a misdemeanor. We just don't do that to our citizens of Hawaii and a constituent who's in my district. Extraditing a man for a misdemeanor.

"As indicated by an earlier no-vote, from the Representative of Kauai, Mr. Speaker, some in this body have been intimidated by this Resolution, believing the naysayers that this is a waste of taxpayers' money and a useless gesture. In terms of how resolutions are useless, ask any Hawaiian in this Chamber, any Hawaiian in the great State of Hawaii if the Hawaiian apology resolution, repeat resolution, was a waste of taxpayer's money or a useless gesture. Or as I spoke of last week, ask any Vietnam veteran if the resolution on the Gulf of Tonkin which started the Vietnam War was a useless resolution or gesture. Was it costly? Did it cost us any money? Well no more than the resolution we passed last week on Darfur. Or the *hei haizi* orphans of China.

"So the naysayers have been a bit frightened by those. It's good that we're subject to public opinion, but we're on the side of what is right to do and what is appropriate, I think we can take strength, Mr. Speaker. So I ask all of my colleagues in defense of this man who saved countless American and Mexican women, and I would also ask kindly that the Chair of Judiciary be bold to hear this Resolution so that we can get the Dog free from the impound that is pending him in a Mexican jail. Thank you, Mr. Speaker."

Representative Evans rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I rise with support with some reservations. I really want to thank the Committee that put this together for trying to really address the fact that he was going after a rapist, and that justice was trying to be served for the people here. But why I have reservations is that I also believe there needs to be respect for other countries, and what their judicial system is and their process is.

"What I would have liked to have seen in this Resolution is a little bit more language about how we respect Mexico, and we respect their people and their judicial system. That what we hope is that they understand that this was a criminal. In fact, justice has been served here in that hopefully they would respect this body's belief that we're grateful that justice was served on our end, and that extradition will not be necessary in this instance. Just maybe a little bit more language recognizing them and their process. I would have liked to have seen that. Thank you."

Representative Pine rose to speak in support of both measures, stating:

"Yes, I just wanted to rise in strong support of this Resolution. Just very briefly, I want to mention that when we were having problems in Ewa Beach with a lot of criminals that took over the beaches in Ewa Beach, I asked Duane 'Dog' Chapman to help me get some of those people. A lot of them had bonds against them. They went into Hau Bush which is a really risky place and they got all those people. So now the beaches are given back to the children and I hope we support Duane 'Dog' Chapman.

"I would agree. We should add the language that we do respect the Mexican government, but this was a person that raped multiple women and I think that we should stand by this man who's protected us here in many ways. Thank you."

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in support of the resolution. My office has received numerous e-mails in support of Mr. Chapman. Mr. Chapman has done a number of positive things in terms of crime control in my district.

"On a final note, there are few that come out in courage to do, to risk their lives to protect others. Not many people are willing to do that. I don't know that many people, and I have a deep abiding respect for all who put their lives on the line for safety of others. And I think I've always felt that way for police officers, etc. Few people put themselves out. So I support the resolution."

Representative Berg rose to speak in support of both measures with reservations, stating:

"Thank you, Speaker. I rise with reservations. I think this is meddling into the affairs of the Judicial Branch. I truly understand where my colleagues may be coming from. Perhaps what might be best to do is to do a resolution or a proclamation of some sort, if we believe that Mr. Chapman's work is worthy of recognition, acknowledging his services. Thank you."

Representative Bertram rose to speak in support of both measures, stating:

"I stand in strong support. Resolutions are good. This represents many people in Hawaii. Some folks who are never affected by any laws, or really have no interest in what we're doing with education or anything else, but they want to see the Dog freed. If that says that we're doing something for them or representing their views, well all the power to them.

"We need to represent all the people of Hawaii. So it may not be of everyone's interest in this room or even some of the people in the paper, it does represent the guy who is changing my oil where I was getting my car fixed. It represented the fellow who was the maintenance worker at the condo I live in. They want to know if

we're doing something for the Dog. I mean, it's a common thing, but it represents true feeling out there.

"The third thing is that no judicial system is perfect. There's nothing wrong with saying that we need to see a better representation in your judicial system. A member of my staff was wrongly held by a judicial system in the Philippines. It took him seven years to get out. And he depended on his government to come to his aid, to represent his interests. And if you read it, you really look at the history of this, you really do see that this is a wrong thing on their part. It is a misdemeanor and it was even reduced by that, even as he explained the circumstances.

"And finally, he is a Hawaii resident. He is a resident of our State and so he deserves our support as he deals with what is, if anyone looks at the actual facts of the matter, that he does deserve our support. And he is a good person. I have to admit that. I don't watch TV. I don't know about any of the things there. But he represented himself very well and is a very honorable person. So I stand in support."

Representative Mizuno rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support. Insofar as I'm in support of both Stand. Com. Rep. Nos. 1220 and 1221, I also respect and support the process of the hearing that took place. I think it's very important. Someone once noted that this is a marketplace of ideas and I agree. In fact, we had a number of testifiers that actually were against Duane 'Dog' Chapman and I think it was good to hear that too. To look at both sides, get a better understanding, and move forward. For the forgoing reasons, I stand in support for both Standing Committee Reports. Thank you, Mr. Speaker."

Representative Sonson rose to speak in opposition to both measures, stating:

"Thank you very much, Speaker. I'd like to speak in opposition to this Resolution. I respect the fact that the person we're dealing with, Mr. Dog Chapman, a very popular man. And he has a lot of fans out there. I want us to do something to help him. However, a resolution requesting that a President from a foreign country to drop charges, and the charges are not a misdemeanor as was stated by the Representative from Hawaii Kai.

"If you look at the front page of the Resolution, it does state that he was charged with felony kidnapping. I don't believe that having us support him and having that foreign country to drop a felony charge is something that this body should support. There is a process that has to take place if you commit a crime in another country and there's a law that binds the United States to extradite this particular person, that process will be followed.

"If we do care about this person so much because what we believe is that what he has done was good despite the fact that how he did it was not good, well perhaps another resolution would be more appropriate to ask for leniency if he is found to be guilty of this particular charge of kidnapping.

"Let the process take its place. Maybe he will not be convicted in Mexico because if you did not break the law, he will not be convicted or if he has a great attorney, the charge will be overturned. And if he is convicted and that's the worst case scenario, then I believe it will be proper for us if we really care about this person's plight so much, to ask for leniency at that particular point. At this particular juncture, I cannot support this resolution going forward. Thank you.

Representative Waters rose to speak in support of both measures with reservations, stating:

"In support with reservations. My understanding is that the Representative from Hawaii Kai wants the Judiciary Committee to have a Dog Day Afternoon. And the Mexican government wants to put the 'Dog' on a leash and put him in the dog pound. It is certain that he is in the dog house and the resolution is simply throwing the dog a bone. But perhaps we should let sleeping dogs lie. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, I will never be able to top that in support or in defense of the use of the term 'dog'. But I do want to share one of the things that did come up in the hearing. Because one of the things that came out was there was a mistranslation of the charge which is a misdemeanor called, depravation of liberty. It's as if I blocked the door here with the intent to commit a crime. That's what deprivation of liberty is. And that's a misdemeanor.

"But the clerk who got it in the US translated that. The only thing we have is kidnapping. So one of the reasons why we're in the problem that we're in is that the press picked up 'kidnapping' and ran with it, and the felony issue has gone awry. So that's why hopefully the Judiciary will straighten that out because that came out very loud and very clear. Not only from him, but the lawyers who were there and the way that the translation. For example, we don't have in English language a word for 'a street with only a sidewalk on one side', without saying all the words? We don't have that.

"And in the sense of this kidnapping, we didn't have the terminology to express it. That's why I said that earlier. We have never extradited, and all we're asking for is, not get into the nitty-gritty of the court, we're saying don't sent him over there. Settle it while he's still here. There's never been an American extradited on the basis of a misdemeanor.

"Mr. Speaker, the second thing that came out in the hearing is probably more on the personality side. People know he's a bit rough and his language is a bit tough, but it came out to where that hard exterior has a very kind heart behind it. And he said to the Committee and in public. It's not being the hero that I am. Anybody who caught a man on the most wanted list in America would be a hero. He never had a TV show until he did what he did with the Mexican rapist example. He was never the guy who was the hero.

"So we're not here giving accolades to a man. We're not worshipping him. We're trying to say that what he did was brave and for what consequences the Mexican government is asking for extradition is not fair. That's the basis of the Resolution. And if I had my wits about me, I would say the Dog deserves another day in court and in this doghouse."

Representative Manahan rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, reservations. I think as a lawmaking body ourselves, I think we would want our laws to be respected. We should, no matter how imperfect their judicial system may be, also have to respect the process. And I would like the words of the Representative from Waipahu entered as my own," and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to respond, stating:

"I just wanted to mention, Mr. Speaker, still in support, that the Dog did apologize to the Mexican government. Acknowledging my colleague from Waipahu, that perhaps a resolution that would ask for leniency to the Mexican government would be proper."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 29, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF MEXICO AND MEXICAN JUDICIAL AUTHORITIES TO DISMISS PENDING CHARGES AND WITHDRAW THE REQUEST FOR EXTRADITION REGARDING FUGITIVE SPECIALISTS DUANE "DOG" CHAPMAN, LELAND CHAPMAN, AND TIM CHAPMAN," was

referred to the Committee on Judiciary with Representatives Morita and Sonson voting no, and with Representatives Herkes, Luke, Saiki, Souki and Thielen being excused; and

H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF MEXICO AND MEXICAN JUDICIAL AUTHORITIES TO DISMISS PENDING CHARGES AND WITHDRAW THE REQUEST FOR EXTRADITION REGARDING FUGITIVE SPECIALISTS DUANE "DOG" CHAPMAN, LELAND CHAPMAN, AND TIM CHAPMAN," was referred to the Committee on Judiciary with Representatives Morita and Sonson voting no, and with Representatives Herkes, Luke, Saiki, Souki and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 88 through 277) and concurrent resolutions (H.C.R Nos. 112 through 344) were referred to Printing and further action was deferred:

H.R. No. 88, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO REQUIRE CEMETERY AUTHORITIES TO DISTRIBUTE SUMMARIES OF THEIR AUDITED FINANCIAL STATEMENTS TO THEIR PURCHASERS," was offered by Representative Caldwell.

H.R. No. 89, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ONLINE HAWAII NO-CALL LIST," was offered by Representative Caldwell.

H.R. No. 90, entitled: "HOUSE RESOLUTION URGING THE HAWAII WORKFORCE DEVELOPMENT COUNCIL TO REVIEW ITS POLICY ON ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS SO THAT THE WORKPLACE EXCELLENCE PROGRAM CAN BE ESTABLISHED IN HAWAII," was jointly offered by Representatives B. Oshiro, Sonson and Souki.

H.R. No. 91, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT PASSAGE OF THE NATIONAL GUARD EMPOWERMENT ACT OF 2007," was jointly offered by Representatives Takai, Evans, Har, and M. Oshiro.

H.R. No. 92, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE TRAUMA SYSTEM," was jointly offered by Representatives Green and Mizuno.

H.R. No. 93, entitled: "HOUSE RESOLUTION REQUESTING CASTLE & COOKE HAWAII TO CONSIDER REPLICATING THE IWILEI PINEAPPLE WATER TOWER," was jointly offered by Representatives Marumoto, Ching, Evans, Lee, Manahan, Ward, Finnegan, Meyer, Mizuno, Rhoads, Shimabukuro, Sonson, Takumi, Tsuji, Yamane and Yamashita.

H.R. No. 94, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," was offered by Representative Karamatsu.

H.R. No. 95, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF AMBIENT AIR STANDARDS FOR HYDROGEN SULFIDE EMISSIONS TO SUSTAIN AND PROTECT THE NATURAL BEAUTY AND AIR QUALITY OF THE KA IWI COASTLINE BETWEEN MAKAPUU AND HANAUMA BAY," was jointly offered by Representatives Berg and Morita.

H.R. No. 96, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT ADMINISTRATIVE RULES TO ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL ACADEMIC CREDIT TO HIGH SCHOOL STUDENTS WHO SERVE ON NONPROFIT BOARDS, ADVISORY COUNCILS, OR COMMISSIONS," was jointly offered by Representatives Berg and Belatti.

H.R. No. 97, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT ADMINISTRATIVE RULES TO ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL CREDIT TO THE STUDENT MEMBER OF THE BOARD OF EDUCATION," was jointly offered by Representatives Berg and Belatti.

H.R. No. 98, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS," was jointly offered by Representatives Berg and Belatti.

H.R. No. 99, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE COSTS ASSOCIATED WITH THE PUBLIC'S USE OF SCHOOL ATHLETIC FACILITIES," was jointly offered by Representatives Berg and Belatti.

H.R. No. 100, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROTECT THE ENDANGERED HAWAIIAN STILT BY REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED MAINTENANCE DREDGING OF HAWAII KAI MARINA," was jointly offered by Representatives Berg and Morita.

H.R. No. 101, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO PROCLAIM THE LAST WEEK IN JULY OF EACH YEAR AS CONSERVATION WEEK," was jointly offered by Representatives Berg and Morita.

H.R. No. 102, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES ARMY TO CEASE LIVE-FIRE MILITARY TRAINING EXERCISES AT MAKUA MILITARY RESERVATION," was jointly offered by Representatives Berg and Morita.

H.R. No. 103, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE GLOBAL DEMOCRACY PROMOTION ACT, WHICH WOULD REPEAL THE "GLOBAL GAG RULE" AND RELEASE MUCH-NEEDED FUNDS FOR INTERNATIONAL FAMILY PLANNING PROGRAMS," was jointly offered by Representatives Lee, Belatti, Berg, Evans, Har, Luke, Marumoto, Morita and Shimabukuro.

H.R. No. 104, entitled: "HOUSE RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was jointly offered by Representatives Lee, Belatti, Cabanilla, Ching, Evans, Green, Hanohano, Herkes, Karamatsu, Morita, Nishimoto, Pine, Shimabukuro, Sonson, Takumi, Tsuji, Yamane, Yamashita and Souki.

H.R. No. 105, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT THE ETHICAL RECRUITMENT OF NURSES," was jointly offered by Representatives Lee, Green, Herkes, Morita, Karamatsu, Nishimoto, Sonson, Souki, Takumi, Tsuji, Yamane and Yamashita.

H.R. No. 106, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A CAPITOL GIFT SHOP IN THE STATE CAPITOL BUILDING," was jointly offered by Representatives Lee, Green, Herkes, Karamatsu, Sonson, Tsuji, Morita, Nishimoto, Souki, Takumi, Yamane and Yamashita.

H.R. No. 107, entitled: "HOUSE RESOLUTION SUPPORTING THE BREASTFEEDING MOTHERS' BILL OF RIGHTS OFFERED AS SENATE BILL NO. 1674 AND ASSEMBLY BILL NO. 3782 IN THE NEW YORK STATE LEGISLATURE," was jointly offered by Representatives Lee, Cabanilla, Ching, Green, Hanohano, Nishimoto, Shimabukuro, Sonson, Takumi, Belatti, Evans, Herkes, Morita, Pine, Souki, Tsuji, Yamane and Yamashita.

H.R. No. 108, entitled: "HOUSE RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST IN HAWAII VENTURE CAPITAL," was jointly offered by Representatives Wakai, Chang, Hanohano, Herkes, Luke, Manahan, McKelvey, Mizuno, Shimabukuro and Yamashita.

H.R. No. 109, entitled: "HOUSE RESOLUTION REQUESTING A COMPARISON STUDY OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII AND THE BOARDS OF REGENTS OF SIMILAR STATE UNIVERSITIES ACROSS THE NATION," was jointly offered by Representatives Wakai, Hanohano, Takai, Brower, Chang, Chong, Herkes, Luke, Manahan, Mizuno, Nishimoto, Shimabukuro, Tsuji and Yamashita.

H.R. No. 110, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF STATE AND COUNTY INTERSECTIONS TO DETERMINE WHETHER TRAFFIC SIGNALS PROVIDE SUFFICIENT TIME FOR ELDERLY PEDESTRIANS TO CROSS THE STREET," was jointly offered by Representatives Mizuno, Awana, Belatti, Bertram, Cabanilla, Green, Manahan, Rhoads, Ward, Berg and Souki.

H.R. No. 111, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY TO ADDRESS MAJOR CONCERNS ALONG KALIHI STREET," was offered by Representative Mizuno.

H.R. No. 112, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET," was offered by Representative Mizuno.

H.R. No. 113, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER INTERNAL MECHANISMS FOR IMPROVING ADULT PROTECTIVE SERVICES WITHOUT LEGISLATION," was jointly offered by Representatives Mizuno, Rhoads, Belatti, Bertram, Brower, Hanohano, Har, Magaoay, Shimabukuro, Tokioka and Tsuji.

H.R. No. 114, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," was jointly offered by Representatives Green and Mizuno.

H.R. No. 115, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON USING PERFORMANCE AS A BASIS FOR AWARDING TAX CREDITS," was offered by Representative Yamane.

H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE HUMAN PAPILLOMAVIRUS IMMUNIZATION AVAILABLE TO INDIGENT PATIENTS AND THROUGH THE TEEN VAX PROGRAM, AND URGING INSURERS TO OFFER HUMAN PAPILLOMAVIRUS IMMUNIZATION TO FEMALE POLICYHOLDERS ELEVEN TO TWENTY-SIX YEARS OF AGE," was offered by Representative Yamane.

H.R. No. 117, entitled: "HOUSE RESOLUTION URGING THE HAWAII ARTS CENTER FOR YOUTH, THE COLLEGE OF EDUCATION OF THE UNIVERSITY OF HAWAII, AND THE UNIVERSITY LABORATORY SCHOOL TO WORK TOGETHER TO COLLABORATE TO ESTABLISH A FACILITY FOR THE HAWAII ARTS CENTER FOR YOUTH ON THE PROPERTY LOCATED AT UNIVERSITY AVENUE AND DOLE STREET," was offered by Representative Yamane.

H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO COORDINATE DEVELOPMENT AND DISTRIBUTION TO VISITORS OF INFORMATION ON RECREATION SAFETY AND CRIME PREVENTION," was jointly offered by Representatives Yamane and Waters.

H.R. No. 119, entitled: "HOUSE RESOLUTION REQUESTING THE STATE TO OBSERVE DAYLIGHT SAVING TIME," was offered by Representative Meyer.

H.R. No. 120, entitled: "HOUSE RESOLUTION REQUESTING THE RELEVANT LEGISLATIVE COMMITTEES TO AMEND THE LAW TO ALLOW THE COUNTY SURCHARGE ON STATE TAXES TO BE USED FOR PROJECTS THAT HAVE A POSITIVE IMPACT OR DECREASE IN COSTS OF A TRANSIT CORRIDOR PROJECT SO AS TO INCLUDE HOT LANES AS A CONCURRENT SOLUTION TO TRAFFIC CONGESTION," was offered by Representative Meyer.

H.R. No. 121, entitled: "HOUSE RESOLUTION SUPPORTING THE ORIGINAL LIGHT RAIL ALIGNMENT PLAN FOR A ROUTE FROM THE HONOLULU INTERNATIONAL AIRPORT TO WAIKIKI AND THE UNIVERSITY OF HAWAII AT MANOA," was jointly offered by Representatives McKelvey, Caldwell, Chang, Har, Manahan, Tokioka, Awana, Bertram, Carroll, Hanohano, Herkes, Sagum, Souki and Yamashita.

H.R. No. 122, entitled: "HOUSE RESOLUTION URGING THE MAJOR COMMERCIAL PRODUCERS OF POI TO PRODUCE POI WITH LESS WATER CONTENT," was jointly offered by Representatives Hanohano, Awana, Carroll and Waters.

[Note: The following House Resolutions were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM THE SECOND SATURDAY IN OCTOBER OF EVERY YEAR AS E HOʻOLA I NA HELE DAY--GIVE LIFE TO THE TRAILS DAY," was jointly offered by Representatives Evans, Awana, Carroll, Chang, Chong, Finnegan, Hanohano, Har, Manahan, Marumoto, McKelvey, Meyer, Nishimoto, Shimabukuro, Tsuji, Belatti, Cabanilla, Ching, Herkes, Ito, Magaoay, Mizuno, Sagum, Sonson, Souki, Tokioka, Ward and Yamashita.

H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES OF THE STATE OF HAWAII TO PROPOSE REVISIONS TO THEIR RESPECTIVE COUNTY CHARTERS TO AUTHORIZE CONSOLIDATION OF THE FIRST SPECIAL ELECTION AND THE SECOND SPECIAL ELECTION FOR NONPARTISAN COUNTY ELECTIVE OFFICIALS INTO A SINGLE ELECTION HELD IN CONJUNCTION WITH THE STATE GENERAL ELECTION," was offered by Representative Evans.

H.R. No. 125, entitled: "HOUSE RESOLUTION EXPRESSING THE SENSE OF THE LEGISLATURE THAT THE STATE SHOULD IMMEDIATELY COMMENCE EMINENT DOMAIN PROCEEDINGS FOR KUKUI GARDENS," was jointly offered by Representatives Rhoads, Caldwell, Lee, M. Oshiro, Say and Shimabukuro.

H.R. No. 126, entitled: "HOUSE RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was offered by Representative Marumoto.

H.R. No. 127, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PASS, AND THE PRESIDENT OF THE UNITED STATES TO SIGN, THE CAMERON GULBRANSEN KIDS AND CAR SAFETY ACT," was offered by Representative Marumoto.

H.R. No. 128, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE HISTORIC PRESERVATION DIVISION, TO REVIEW CHAPTER 6E, HAWAII REVISED STATUTES, RELATING TO HISTORIC PROPERTIES," was jointly offered by Representatives Ito, Carroll, Chong, Magaoay and Sagum.

H.R. No. 129, entitled: "HOUSE RESOLUTION REQUESTING CERTAIN ACTION CONCERNING THE CONDUCTING OF A TEST TO CONVERT H-POWER ASH TO REUSABLE MATERIAL," was jointly offered by Representatives Chong, Tsuji, Evans, Har, Ito, Magaoay and Say.

H.R. No. 130, entitled: "HOUSE RESOLUTION REQUESTING A LEGISLATIVE BRIEFING ON THE COUNTIES' WASTEWATER PROBLEMS AND ISSUES," was jointly offered by Representatives Chong, Evans, Magaoay, Tsuji, Har, Ito and Say.

H.R. No. 131, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN AND CONDUCT A POLICY REVIEW," was jointly offered by Representatives Takai, Berg, Bertram, Cabanilla, Chang, Ching, Finnegan, Nishimoto, Saiki, Shimabukuro, Takamine, Takumi and Wakai.

H.R. No. 132, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF A UNIVERSITY OF HAWAII SECOND CENTURY PROMISE TASK FORCE," was jointly offered by Representatives Takai, Berg, Bertram, Cabanilla, Chang, Ching, Finnegan, Nishimoto, Saiki, Shimabukuro, Takamine, Takumi and Wakai.

H.R. No. 133, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY WHETHER LEASES BETWEEN RELATED ENTITIES IN THE CAR RENTAL INDUSTRY SHOULD BE SUBJECT TO HAWAII'S GENERAL EXCISE TAX," was offered by Representative Herkes.

H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A ONE-TO-ONE COMPUTER ACCESS PROGRAM WITHIN THE STATE PUBLIC SCHOOL SYSTEM," was jointly offered by Representatives M. Oshiro and Takumi.

H.R. No. 135, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND CONGRESS TO DISCONTINUE FURTHER ESCALATION OF THE WAR IN IRAQ AND TO IMMEDIATELY COMMENCE THE ORDERLY WITHDRAWAL OF AMERICAN MILITARY FORCES FROM IRAQ," was jointly offered by Representatives Shimabukuro, Rhoads, Chong, Herkes, Lee, Magaoay, Sagum, Sonson and Tsuji.

H.R. No. 136, entitled: "HOUSE RESOLUTION URGING CONGRESS TO ENACT THE UNITED STATES NATIONAL HEALTH INSURANCE ACT," was jointly offered by Representatives Shimabukuro, Rhoads, Brower, Har, Herkes, Ito, Lee, Magaoay, Sagum, Sonson and Tsuji.

H.R. No. 137, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE ON CERTAIN AQUATIC SURF RESOURCES IN THE STATE INCLUDING THE COST OF FUNDING A STUDY ON THE FEASIBILITY OF CONSTRUCTING ARTIFICIAL REEFS," was jointly offered by Representatives Shimabukuro, Lee, Rhoads, Brower, Chong, Evans, Har, Herkes, Magaoay, Sagum, Sonson and Tsuji.

H.R. No. 138, entitled: "HOUSE RESOLUTION URGING HAWAII'S LAW ENFORCEMENT AGENCIES TO USE THE "A CHILD IS MISSING" ALERT PROGRAM IN LOCATING MISSING PERSONS," was jointly offered by Representatives Chang, Carroll, Evans, Hanohano, Herkes, Manahan, Nishimoto, Shimabukuro, Tsuji, Yamane, Bertram, Chong, Ito, Magaoay, Mizuno, Morita, Nakasone, Sagum, Takumi and Yamashita.

H.R. No. 139, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SUBMIT A REPORT WITH INFORMATION REGARDING THE SALARIES OF UH-MANOA FACULTY AND ADMINISTRATORS," was jointly offered by Representatives Chang, Har, Karamatsu, McKelvey, Sonson, Tokioka, Tsuji, Berg, Bertram, Brower, Carroll, Ching, Chong, Evans, Finnegan, Hanohano, Herkes, Ito, Magaoay, Manahan, Morita, Nishimoto, Sagum, Shimabukuro, Takumi, Wakai, Yamane and Yamashita.

H.R. No. 140, entitled: "HOUSE RESOLUTION ESTABLISHING AN ELDER ABUSE TASK FORCE," was jointly offered by Representatives Mizuno, Brower, Carroll, Evans, Hanohano, Ito, Magaoay, Nishimoto, Sonson and Wakai.

H.R. No. 141, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPLEMENTATION OF THE CASH AND COUNSELING PROGRAM IN OTHER STATES," was jointly offered by Representatives Mizuno, Evans, Hanohano, Brower, Carroll, Ito, Magaoay, Nishimoto, Sonson and Wakai.

H.R. No. 142, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY PRE-PAID OR PRE-NEED FUNERAL OR BURIAL PLANS," was jointly offered by Representatives Mizuno, Evans, Hanohano, Brower, Carroll, Ito, Magaoay, Nishimoto, Sonson and Wakai.

H.R. No. 143, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI'I AT MANOA COLLEGE OF SOCIAL SCIENCES PUBLIC POLICY CENTER TO CONDUCT A COST-BENEFIT ANALYSIS FOR A FAMILY CAREGIVER TAX CREDIT," was jointly offered by Representatives Mizuno, Hanohano, Sonson, Brower, Carroll, Evans, Ito, Magaoay, Nishimoto, Rhoads, Wakai and Waters.

H.R. No. 144, entitled: "HOUSE RESOLUTION REQUESTING THE CLERK OF EACH COUNTY TO MAIL ABSENTEE BALLOTS IN A TIMELY MANNER TO PROMOTE INFORMED VOTING," was jointly offered by Representatives Mizuno, Hanohano, Sonson, Brower, Carroll, Ito, Magaoay, Nishimoto, Rhoads and Wakai.

H.R. No. 145, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE," was jointly offered by Representatives Mizuno, Carroll, Evans, Hanohano, Brower, Ito, Magaoay, Nishimoto, Rhoads, Sonson, Wakai and Waters.

H.R. No. 146, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES," was jointly offered by Representatives Mizuno, Carroll, Evans, Sonson, Brower, Hanohano, Ito, Magaoay, Nishimoto, Rhoads, Wakai and Waters.

H.R. No. 147, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS CHILDREN IN HAWAII," was jointly offered by Representatives Mizuno, Carroll, Hanohano, Waters, Brower, Ito, Magaoay, Nishimoto, Rhoads, Sonson and Wakai.

H.R. No. 148, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was jointly offered by Representatives Magaoay, Belatti, Chang, Ching, Finnegan, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sonson, Tokioka, Tsuji, Wakai, Berg, Cabanilla and Sagum.

H.R. No. 149, entitled: "HOUSE RESOLUTION STRONGLY OPPOSING THE FEE INCREASES PROPOSED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES," was jointly offered by Representatives Magaoay, Belatti, Chang, Ching, Finnegan, Herkes, Manahan, Mizuno, Pine, Sonson, Tokioka, Wakai, Berg, Cabanilla, Karamatsu, Sagum and Tsuji.

H.R. No. 150, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007 BY ADOPTING H.R. 760 AND S. 57, OR SIMILAR LEGISLATION, TO PROVIDE FEDERAL VETERANS BENEFITS AND SERVICES TO WORLD WAR II FILIPINO AND FILIPINO AMERICAN VETERANS," was jointly offered by Representatives Magaoay, Belatti, Chang, Ching, Finnegan, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sonson, Tokioka, Tsuji, Berg, Cabanilla, Sagum and Wakai.

H.R. No. 151, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE ACCESS," was jointly offered by Representatives Magaoay, Chang, Ching, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sagum, Sonson, Tokioka, Tsuji, Belatti, Cabanilla, Finnegan and Wakai.

H.R. No. 152, entitled: "HOUSE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND THE IMPACTS THAT A LARGE INCREASE IN EMPLOYEES MAY HAVE ON THE SPARSELY POPULATED NORTH SHORE OF OAHU," was jointly offered by Representatives Magaoay, Caldwell, Evans, Green, B. Oshiro, Ito, Lee, Sonson, Souki and Yamane.

H.R. No. 153, entitled: "HOUSE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was jointly offered by Representatives Magaoay, Caldwell, Evans, Green, Lee, B. Oshiro, Ito, Sonson, Souki and Yamane.

H.R. No. 154, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO REPORT ON THE STATUS OF WAIMEA VALLEY," was jointly offered by Representatives Magaoay, Caldwell, Green, Manahan, B. Oshiro, Sonson, Takai, Yamane, Bertram, Carroll, Chong, Evans, Har, Ito, Lee, Sagum, Souki, Tsuji and Wakai.

H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF AN OPEN ROAD RACING EVENT ON OAHU," was jointly offered by Representatives Karamatsu, Har, Manahan, Sonson, Brower, Herkes, Lee, Nakasone, Souki, Wakai, Yamane and Yamashita.

H.R. No. 156, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SUPPORT THE ONGOING RESEARCH AND DEVELOPMENT OF WAVE ENERGY DEVICES IN HAWAII AND THE CREATION OF A WAVE ENERGY FACILITY," was offered by Representative Herkes.

H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF PLANNING, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO WORK WITH THE COUNTY AND FEDERAL GOVERNMENTS TO IMPLEMENT THE 2006 OCEAN RESOURCES MANAGEMENT PLAN," was jointly offered by Representatives Ito, Chong and Magaoay.

H.R. No. 158, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS," was jointly offered by Representatives Nishimoto, Evans, Har, Lee, Morita, Saiki, Sonson, Carroll, Chong, Green, Magaoay, Manahan, Meyer, Nakasone, Rhoads, Shimabukuro, Takamine, Takumi, Tsuji, Yamane and Yamashita.

H.R. No. 159, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO WORK WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was jointly offered by Representatives Nishimoto, Evans, Har, Manahan, Marumoto, Meyer, Saiki, Waters, Carroll, Magaoay, Rhoads, Say and Wakai.

H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was jointly offered by Representatives Lee, Belatti, Cabanilla, Green, Hanohano, Herkes, Karamatsu, Morita, Nishimoto, Pine, Shimabukuro, Sonson, Takumi, Tsuji, Yamane, Yamashita, Evans and Souki.

H.R. No. 161, entitled: "HOUSE RESOLUTION ENCOURAGING THE DEPARTMENT OF HEALTH TO DEVELOP A SKIN CANCER EDUCATION AND PREVENTION PROGRAM AND COLLECT DATA ON THE INCIDENCE OF ALL FORMS OF SKIN CANCER AMONG RESIDENTS AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A CANCER AWARENESS PROGRAM IN ALL PUBLIC SCHOOLS," was jointly offered by Representatives Lee, Belatti, Cabanilla, Green, Karamatsu, Manahan, Mizuno, B. Oshiro, Rhoads, Takai, Berg, Brower, Carroll, Chang, Morita, Nishimoto, M. Oshiro, Sonson, Souki, Takumi, Yamane and Yamashita.

H.R. No. 162, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was jointly offered by Representatives Lee, Mizuno, Rhoads, Shimabukuro, Yamane, Ching, Evans, Green, Nishimoto, Pine, Saiki, Sonson, Souki and Waters.

H.R. No. 163, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT TO THE LEGISLATURE ON THE COST OF ESTABLISHING A SUN PROTECTION PROGRAM FOR STUDENTS IN PUBLIC SCHOOLS AND COUNTY-SPONSORED PROGRAMS," was offered by Representative Lee.

H.R. No. 164, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO REPEAL OR AMEND THAT PORTION OF PUBLIC LAW NO. 109-364 THAT ALLOWS THE PRESIDENT TO TAKE CONTROL OF THE NATIONAL GUARD WITHOUT THE CONSENT OF THE GOVERNOR AND TO DECLARE MARTIAL LAW," was jointly offered by Representatives M. Oshiro and Evans.

H.R. No. 165, entitled: "HOUSE RESOLUTION ENCOURAGING KAMEHAMEHA SCHOOLS BISHOP ESTATE TO KEEP KAMILO NUI VALLEY IN AGRICULTURAL LAND USE AND TO RENEGOTIATE AFFORDABLE LEASE RENTS TO ALLOW EXISTING FARMERS TO REMAIN ON THEIR FARM LOTS UNTIL 2025," was offered by Representative Ward.

H.R. No. 166, entitled: "HOUSE RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was offered by Representative Ward.

H.R. No. 167, entitled: "HOUSE RESOLUTION REQUESTING HAWAII KAI COMMUNITY ORGANIZATIONS TO ESTABLISH A KA IWI SHORELINE ADVISORY WATCH," was offered by Representative Ward.

H.R. No. 168, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REQUIRE DEVELOPERS TO APPEAR BEFORE THE APPROPRIATE NEIGHBORHOOD BOARDS FOLLOWING CHANGES IN CONSTRUCTION OR DEVELOPMENT PLANS PREVIOUSLY APPROVED BY THE NEIGHBORHOOD BOARD," was offered by Representative Ward.

H.R. No. 169, entitled: "HOUSE RESOLUTION URGING THAT THE TENURE PROVISIONS OF THE HAWAII STATE TEACHERS ASSOCIATION CONTRACT WITH THE STATE BE AMENDED TO DECREASE THE HIGH TURNOVER RATE OF TEACHERS IN RURAL AREA SCHOOLS, AND PREVENT THOSE SCHOOLS FROM BEING DISPROPORTIONATELY STAFFED WITH INEXPERIENCED, UNTENURED TEACHERS," was offered by Representative Shimabukuro.

H.R. No. 170, entitled: "HOUSE RESOLUTION REQUESTING THE STATE TO PROTECT THE TRADITIONAL HAWAIIAN TARO VARIETIES AND THE FAMOUS TARO GROWING AREAS (WET AND DRY) OF THE STATE AS UNIQUE AND CHERISHED RESOURCES CONTRIBUTING TO THE SPECIAL IDENTITY AND WELL-BEING OF HAWAI'I," was offered by Representative Shimabukuro.

H.R. No. 171, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF DEFENSE TO ALLOW MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO ARE STILL RECOVERING FROM ILLNESSES OR INJURIES INCURRED IN THE LINE OF DUTY WHILE MOBILIZED FOR DEPLOYMENT TO IRAQ OR AFGHANISTAN, AND WHO HAVE EITHER BEEN DISCHARGED FOR MEDICAL REASONS OR RELEASED FROM ACTIVE DUTY TO THEIR RESERVE COMPONENT UNITS, TO CONTINUE TO HAVE ACCESS TO DEPARTMENT OF DEFENSE MEDICAL FACILITIES ON THE SAME BASIS AS ACTIVE DUTY SERVICE MEMBERS, OR TO RECEIVE TRICARE COVERAGE ON THE SAME BASIS AS RETIREES," was offered by Representative Shimabukuro.

H.R. No. 172, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR AND THE HONOLULU CITY COUNCIL TO RESTRICT ANNUAL PROPERTY TAX INCREASES TO LESS THAN TEN PER CENT OF THE PRIOR YEAR'S PROPERTY TAX ASSESSMENT," was jointly offered by Representatives Rhoads, Belatti, Brower, Ching, Takai and Sonson.

H.R. No. 173, entitled: "HOUSE RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was jointly offered by Representatives Berg, Belatti, Carroll, Chang, Ching, Green, Har, Mizuno, Pine, Rhoads, Shimabukuro, Takai, Takumi, Bertram, Finnegan and Tokioka.

H.R. No. 174, entitled: "HOUSE RESOLUTION URGING A COMPREHENSIVE MANAGEMENT REVIEW OF THE DEPARTMENT OF EDUCATION'S OPERATIONS," was offered by Representative Finnegan, by request.

H.R. No. 175, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," was offered by Representative Finnegan.

H.R. No. 176, entitled: "HOUSE RESOLUTION REQUESTING THE STATE ETHICS COMMISSION TO CONDUCT A STUDY TO ASCERTAIN WHAT MEASURES MAY BE ENACTED TO ADDRESS POSSIBLE CONFLICTS OF INTERESTS OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES," was jointly offered by Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine and Ward.

H.R. No. 177, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED UNITS AT KALIHI VALLEY HOMES FROM THE LIST OF STRUCTURES SCHEDULED FOR DEMOLITION AND TO WORK WITH THE HAWAII PUBLIC HOUSING AUTHORITY TO RENOVATE THE BUILDINGS INSTEAD," was offered by Representative Mizuno.

H.R. No. 178, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF MONETARY AWARDS IN TORT CASES IN HAWAII WITHIN THE PREVIOUS FIVE YEARS," was jointly offered by Representatives Yamashita, Caldwell, Chong, Evans, Green, Manahan, Mizuno, Sonson, Tsuji, Waters, Yamane, Carroll, Herkes, Ito, Magaoay, Nakasone, M. Oshiro, Shimabukuro and Souki.

H.R. No. 179, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTI-PURPOSE AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was jointly offered by Representatives Yamashita and Say.

H.R. No. 180, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO DEVELOP A DEVELOPMENT, EARLY EDUCATION, AND EDUCATION PLAN FOR CHILDREN WITH DOWN SYNDROME," was jointly offered by Representatives Meyer, Awana, Marumoto and Ward.

H.R. No. 181, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHICH VIOLATIONS REQUIRE THE TIME AND RESOURCES OF THE DISTRICT COURT FOR ADJUDICATION," was jointly offered by Representatives Meyer, Awana and Marumoto.

H.R. No. 182, entitled: "HOUSE RESOLUTION REQUESTING THE EXAMINER OF DRIVERS TO MAKE FINDINGS OF REASONABLE CAUSE OF INCOMPETENCE BASED UPON REPORTS OF VARIOUS PROFESSIONALS OR PEOPLE," was jointly offered by Representatives Meyer, Lee, Magaoay, Marumoto, Nishimoto, Pine, Souki and Ward.

H.R. No. 183, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION AND THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES TO COMPLY WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 AND TO SERVE THE NEEDS OF OUR CHILDREN AND FAMILIES," was jointly offered by Representatives Meyer, Awana, Marumoto and Ward.

H.R. No. 184, entitled: "HOUSE RESOLUTION SUPPORTING THE CONTINUED VIABILITY OF KEWALO BASIN HARBOR BY TRANSFERRING AND MAINTAINING EXCLUSIVE AUTHORITY UNDER THE DEPARTMENT OF TRANSPORTATION," was jointly offered by Representatives Brower, Manahan, Mizuno, Tokioka, Berg, Bertram, Evans, Har, Herkes, Karamatsu, Magaoay, Sonson, Souki, Wakai, Yamane and Yamashita.

H.R. No. 185, entitled: "HOUSE RESOLUTION STRONGLY SUPPORTING THE EFFORTS OF THE JERUSALEM PROJECT AND EXTENDING EXPRESSIONS OF HOPE FOR A CONTINUUM OF PEACEFUL INTERACTION, COOPERATION, AND DIALOGUE BETWEEN THE PEOPLES AND THE NATIONS OF THE MIDDLE EAST," was jointly offered by Representatives Brower, Cabanilla, Karamatsu, Manahan, Mizuno, Tokioka, Berg, Bertram, Carroll, Herkes, Ito, Magaoay, McKelvey, Rhoads, Sonson and Souki.

H.R. No. 186, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO TAKE ACTION TO OBTAIN ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF DEFENSE TO CONDUCT AN ENVIRONMENTAL ASSESSMENT OF THE STORAGE USE, AND DISPOSAL OF DEPLETED URANIUM MUNITIONS IN HAWAII," was jointly offered by Representatives Evans, Carroll and Har.

H.R. No. 187, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A PANEL TO STUDY THE RELATIONSHIP BETWEEN THE INTERISLAND TRANSPORTATION OF GILL NETS OR LAY NETS AND THE SPREAD OF FOREIGN MARINE SPECIES," was offered by Representative Evans.

H.R. No. 188, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO ADDRESS CONCERNS REGARDING THE INSPECTION OF PLANTS AND PRODUCTS FROM FOREIGN COUNTRIES TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE," was jointly offered by Representatives Evans, Carroll, Chong and Har.

H.R. No. 189, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE SECONDARY-LEVEL STUDENTS WITH LUNCH IF THEY ARE UNABLE TO PAY, AND OBTAIN REIMBURSEMENT FROM THEIR PARENTS," was jointly offered by Representatives Evans, Chong and Har.

H.R. No. 190, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE EFFECTIVENESS OF THE DEPARTMENT'S BOATING SPEED LIMIT GUIDELINE IN DESIGNATED HUMPBACK WHALE AREAS," was jointly offered by Representatives Evans, Carroll, Chong, Chang, Har and Ito.

H.R. No. 191, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE AIR COOLING NEEDS OF EACH SCHOOL COMPLEX AND TO REVIEW THE FEASIBILITY OF USING ALTERNATIVE AIR COOLING METHODS SUCH AS FANS, HEAT REDUCTION, INSULATION, AND ENERGY EFFICIENT INDIVIDUAL AIR CONDITIONING WALL UNITS," was jointly offered by Representatives Chong, Ito, Manahan, Mizuno, Tsuji, Waters, Yamane, Yamashita and Takumi.

H.R. No. 192, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO INCREASE ACADEMIC SERVICES TO STUDENTS IN THE AFTER-SCHOOL PLUS PROGRAM," was jointly offered by Representatives Chong and Berg.

H.R. No. 193, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO ASSESS THEIR CURRENT LICENSE AND PERMIT APPLICATION PROCESS FOR TRANSIENT VACATION RENTALS," was offered by Representative Chong, by request.

H.R. No. 194, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A MULTIMEDIA ACCELERATED LEARNING TECHNOLOGY PILOT PROGRAM IN PUBLIC SCHOOLS," was jointly offered by Representatives Chang, Ching, Har, Karamatsu, Lee, Shimabukuro, Bertram, Carroll, Chong, Herkes, Ito, Sonson, Souki and Waters.

H.R. No. 195, entitled: "HOUSE RESOLUTION DECLARING SEPTEMBER 28 AS CONFUCIUS DAY IN HAWAII," was jointly offered by Representatives Chang, Ching, Lee, Bertram, Caldwell, Carroll, Chong, Finnegan, Har, Herkes, Ito, Karamatsu, Shimabukuro, Sonson, Souki and Waters.

H.R. No. 196, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS FROM PACIFIC ISLAND JURISDICTIONS THAT HAVE HISTORICAL TIES TO THE UNITED STATES BUT DO NOT HAVE PUBLIC HIGHER EDUCATIONAL INSTITUTIONS THAT GRANT BACCALAUREATE DEGREES," was jointly offered by Representatives Chang, Berg, Carroll, Har, Shimabukuro, Waters, Bertram, Chong, Finnegan, Herkes, Ito, Karamatsu, Lee, Sonson and Souki.

H.R. No. 197, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF FORMING A CENTER FOR HYDROGEN BASED ENERGY STUDY," was jointly offered by Representatives Chang, Ching, Har, Herkes, Karamatsu, Lee, Magaoay, Mizuno, Waters, Carroll, Chong, Ito, Sagum, Shimabukuro, Sonson and Souki.

H.R. No. 198, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE IDENTITY THEFT TASK FORCE TO IDENTIFY WAYS IN WHICH THE PROCESS OF NOTARIZING DOCUMENTS CAN BE IMPROVED TO REDUCE IDENTITY THEFT," was offered by Representative Tokioka.

H.R. No. 199, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES AND THE CITY AND COUNTY OF HONOLULU TO CONSIDER BUILDING A BIKEWAY CORRIDOR ALONGSIDE THE FIXED GUIDEWAY SYSTEM AND UNDERNEATH THE ELEVATED SECTIONS," was jointly offered by Representatives Sonson, Cabanilla, Ching, Marumoto, Pine, Herkes, Meyer, M. Oshiro, Souki and Wakai.

H.R. No. 200, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO SURVEY WHETHER AND HOW WORKERS' COMPENSATION LAWS IN OTHER STATES ARE USED TO COVER EMPLOYEE DISABILITIES CAUSED BY MULTIPLE CHEMICAL SENSITIVITIES," was jointly offered by Representatives Sonson, Cabanilla, Pine, Herkes, M. Oshiro, Souki and Wakai.

H.R. No. 201, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE EMPLOYEES' RETIREMENT SYSTEM," was jointly offered by Representatives Sonson, Cabanilla, M. Oshiro and Souki.

H.R. No. 202, entitled: "HOUSE RESOLUTION ESTABLISHING A BUILDING TRADES TASK FORCE TO STUDY AND REVIEW JURISDICTIONAL AND SCOPE OF PRACTICE ISSUES BETWEEN THE BUILDING TRADES IN HAWAII," was jointly offered by Representatives Sonson, Cabanilla, Pine, Herkes, M. Oshiro and Wakai.

H.R. No. 203, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO REQUEST THE FEDERAL GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE WITHIN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was jointly offered by Representatives Carroll, Chang, Evans, Hanohano, Lee, McKelvey, Mizuno, Rhoads, Bertram, Brower, Caldwell, Chong, Magaoay, Nakasone, Nishimoto, M. Oshiro, Sagum, Sonson, Souki, Tsuji, Wakai, Waters and Yamashita.

H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE GREENBELTS STRATEGY TO PROMOTE IDENTIFICATION OR DEVELOPMENT OF TRANSPORTATION MANAGEMENT SYSTEMS THAT ARE BASED ON THE REDUCTION OF AUTOMOBILE USE OR ALTERNATIVES TO THE AUTOMOBILE," was jointly offered by Representatives Carroll, McKelvey and Brower.

H.R. No. 205, entitled: "HOUSE RESOLUTION SUPPORTING THE ESTABLISHMENT OF CULTURALLY VALUABLE DISTRICTS THROUGHOUT THE STATE," was jointly offered by Representatives Carroll, McKelvey and Brower.

H.R. No. 206, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSIST IN THE PERPETUATION OF AGRICULTURAL ACTIVITIES ON THE EWA PLAINS," was jointly offered by Representatives Chong, Karamatsu, Yamane and Yamashita.

H.R. No. 207, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Carroll, Chong, Evans, Hanohano, McKelvey, Bertram, Brower, Magaoay, Mizuno, Nishimoto, M. Oshiro, Sonson, Souki, Wakai and Waters.

H.R. No. 208, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE ALTERNATIVE ENERGY SYSTEMS TO POWER WATER PUMPS IN THE WAIKOLU TUNNEL OF THE MOLOKAI IRRIGATION SYSTEM," was jointly offered by Representatives Carroll, Caldwell, Evans, Hanohano, Lee, Mizuno, Waters, Yamashita, Bertram, Brower, Chang, Chong, Magaoay, Nakasone, Nishimoto, Sagum, Souki, Tsuji and Wakai.

H.R. No. 209, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND THE ADJUTANT GENERAL TO TAKE A VARIETY OF ACTIONS WITH RESPECT TO THE EXPOSURE OF MEMBERS OF THE HAWAII NATIONAL GUARD AND VETERANS TO DEPLETED URANIUM," was jointly offered by Representatives Carroll, Chang, Hanohano, Mizuno, Waters, Yamashita, Bertram, Brower, Caldwell, Chong, Evans, Magaoay, McKelvey, Nakasone, Nishimoto, M. Oshiro, Sagum, Sonson, Souki, Tsuji and Wakai.

H.R. No. 210, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF A NATIVE HAWAIIAN HEALING PROGRAM ON KAHOʻOLAWE," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Waters, Bertram, Brower, Chong, Lee, Magaoay, Mizuno, Nishimoto, M. Oshiro, Rhoads, Sonson and Wakai.

H.R. No. 211, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF THE PUBLIC PROCUREMENT PROCESS ON PUBLIC EDUCATION AND GOVERNMENT ACCESS TELEVISION STATIONS," was jointly offered by Representatives Carroll, McKelvey, Waters, Bertram, Brower, Caldwell, Chang, Evans, Hanohano, Magaoay, Mizuno, Nakasone, Nishimoto, Sagum, Sonson, Souki, Tsuji and Wakai.

H.R. No. 212, entitled: "HOUSE RESOLUTION URGING THE OWNERS OF THE TURTLE BAY RESORT TO STOP FURTHER DEVELOPMENT PENDING THE PREPARATION AND ACCEPTANCE OF A SUPPLEMENTAL STATEMENT TO ITS ENVIRONMENTAL IMPACT STATEMENT," was jointly offered by Representatives Morita, Berg, Carroll, Green, Hanohano, Magaoay, Belatti, Bertram and Chong.

H.R. No. 213, entitled: "HOUSE RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL TO REPORT TO THE LEGISLATURE ON THE EFFECTIVENESS OF THE HAWAII ENVIRONMENTAL PROTECTION ACT AND RECOMMEND CHANGES," was jointly offered by Representatives Morita, by request, Belatti, Berg, Bertram, Carroll, Green and Hanohano.

H.R. No. 214, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO INCLUDE IN ALL LAND USE APPROVALS FOR RESIDENTIAL DEVELOPMENTS, CONDITIONS REQUIRING THE CONCURRENT PROVISION OF ALL INFRASTRUCTURE REQUIRED BY THE DEVELOPMENT," was jointly offered by Representatives Har, Awana, Evans, Hanohano, Lee, Manahan, McKelvey, Tokioka, Chang, Karamatsu, Magaoay and Yamashita.

H.R. No. 215, entitled: "HOUSE RESOLUTION URGING THE HONOLULU CITY COUNCIL TO ADOPT AN ORDINANCE REQUIRING THE DEPARTMENT OF PLANNING AND PERMITTING TO ENSURE THAT THE INFRASTRUCTURE NECESSARY TO SUPPORT ANY NEW DEVELOPMENT IS BUILT," was jointly offered by Representatives Har, Awana, Chang, Evans, Hanohano, Karamatsu, McKelvey and Tokioka.

H.R. No. 216, entitled: "HOUSE RESOLUTION REQUESTING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO PASS AN ORDINANCE REQUIRING PLANS AND PERMITS FOR ALL LARGE RESIDENTIAL OR COMMERCIAL DEVELOPMENTS BE IN COMPLIANCE WITH SMART GROWTH PRINCIPLES," was jointly offered by Representatives Har, Awana, Chang, Evans, Hanohano, Karamatsu, Lee, McKelvey, Tokioka and Yamashita.

H.R. No. 217, entitled: "HOUSE RESOLUTION STRONGLY URGING THE HONOLULU CITY COUNCIL TO RECONSIDER THE SELECTION OF THE SALT LAKE ALIGNMENT AND TO COMMIT TO CONSTRUCTION OF THE FIXED GUIDEWAY SYSTEM ALONG THE AIRPORT/PEARL HARBOR ALIGNMENT," was jointly offered by Representatives Ching, Awana, Bertram, Hanohano, Har, Marumoto, Shimabukuro, Takai and Ward.

H.R. No. 218, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY OF MAUI TO PROVIDE FOR THE IMMEDIATE REPAIR OF HUI F ROAD, AND URGING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was jointly offered by Representatives McKelvey, Hanohano, Har, Mizuno, Bertram, Carroll, Evans, Souki and Yamashita.

H.R. No. 219, entitled: "HOUSE RESOLUTION URGING THE FEDERAL GOVERNMENT TO IMMEDIATELY REMOVE THE DERELICT SAILBOAT "DOLPHIN" FROM THE REEF IN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY AREA FACING FRONT STREET, LAHAINA, MAUI," was jointly offered by Representatives McKelvey, Awana, Bertram and Hanohano.

H.R. No. 220, entitled: "HOUSE RESOLUTION URGING THE IMMEDIATE ESTABLISHMENT OF THE SEED BREEDING INDUSTRY IN WEST MAUI," was jointly offered by Representatives McKelvey, Sagum, Bertram, Har, Souki, Yamane and Yamashita.

H.R. No. 221, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON CREATING A ONE-STOP PERMIT SHOP FOR RENEWABLE ENERGY PROJECTS," was jointly offered by Representatives Say, Caldwell and Carroll.

H.R. No. 222, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SEEK AMENDMENTS TO THE MEDICARE PAYMENT SYSTEM TO INCREASE REIMBURSEMENTS TO HAWAII'S HOSPITALS," was offered by Representative Green.

H.R. No. 223, entitled: "HOUSE RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE, IN COOPERATION WITH THE DEPARTMENT OF HEALTH, TO BEGIN NECESSARY PREPARATIONS TO ESTABLISH A MOBILE EMERGENCY HOSPITAL UNIT IN HAWAII," was jointly offered by Representatives Green and Mizuno.

H.R. No. 224, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR USE OF THE LG1 INTELLIGENT MEDICAL VIGILANCE SYSTEM," was jointly offered by Representatives Green and Mizuno.

H.R. No. 225, entitled: "HOUSE RESOLUTION DECLARING SUPPORT FOR THE 2008 INTERNATIONAL YEAR OF THE REEF AND HAWAII'S COMMITMENT TO PRESERVING HAWAIIAN REEFS," was offered by Representative Green.

H.R. No. 226, entitled: "HOUSE RESOLUTION ENCOURAGING THE OFFICE OF HAWAIIAN AFFAIRS AND THE EXECUTIVE BRANCH TO NEGOTIATE A SETTLEMENT REGARDING THE INCOME AND PROCEEDS FROM THE PUBLIC LAND TRUST," was offered by Representative Say, by request.

H.R. No. 227, entitled: "HOUSE RESOLUTION ENCOURAGING THE USE OF THE NAME "PAPAHANAUMOKUAKEA MARINE NATIONAL MONUMENT"," was offered by Representative Say, by request.

H.R. No. 228, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REPORT ON ITS EXPERIENCE WITH AND TO EVALUATE THE CURRENT SYSTEM FOR CONDOMINIUM DISPUTE RESOLUTION," was offered by Representative Say, by request.

H.R. No. 229, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE HAWAII TOURISM AUTHORITY, AND THE HAWAII VISITORS AND CONVENTION BUREAU TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was jointly offered by Representatives Say, Manahan and Yamane.

H.R. No. 230, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACT ON THE STATE ECONOMY CAUSED BY THE CONCENTRATION IN OWNERSHIP OF COMMERCIAL AND INDUSTRIAL LANDS," was offered by Representative Say.

H.R. No. 231, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was jointly offered by Representatives Say and Yamashita.

H.R. No. 232, entitled: "HOUSE RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was jointly offered by Representatives Say and Chang.

H.R. No. 233, entitled: "HOUSE RESOLUTION RECOGNIZING THE NUUANU-LILIHA CORRIDOR AS THE NUUANU-LILIHA HISTORIC CORRIDOR," was jointly offered by Representatives Rhoads and Ching.

H.R. No. 234, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO CHANGE THE HAWAII ADMINISTRATIVE RULES TO ALLOW RAPID HIV TESTING IN THE STATE," was jointly offered by Representatives Belatti, Hanohano, Marumoto, Mizuno, Takai, Berg, Bertram, Brower, Cabanilla, Ching, Finnegan, Har, McKelvey, Meyer, Rhoads, Sonson, Takamine, Takumi and Wakai.

H.R. No. 235, entitled: "HOUSE RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE QUEST PROGRAM TO EVALUATE ITS CURRENT PERFORMANCE IN STABILIZING HEALTH CARE COSTS AND EXPANDING ACCESS TO HEALTH CARE SERVICES IN HAWAII," was offered by Representative Belatti, by request.

H.R. No. 236, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AT LEAST ONE CIVIC STANDARD AT EVERY GRADE LEVEL FROM K-12 THAT INTEGRATES SERVICE LEARNING AND EXPECTS STUDENTS TO ENGAGE, PARTICIPATE, AND BECOME ACTIVELY INVOLVED IN THEIR COMMUNITIES," was jointly offered by Representatives Bertram, Berg, Belatti and Finnegan.

H.R. No. 237, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STATION A LIFEGUARD AT MAKENA BEACH PARK," was offered by Representative Bertram.

H.R. No. 238, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO EXPLORE THE POSSIBILITY OF EXPANDING THE DISLOCATED WORKERS PROGRAM," was jointly offered by Representatives Bertram, Awana, Hanohano, Belatti, Carroll, Evans, McKelvey, Nishimoto, Pine, Sonson, Souki and Yamashita.

H.R. No. 239, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A FULL-TIME FACULTY POSITION IN THE AREA OF ENVIRONMENTAL HEALTH IN THE DEPARTMENT OF PUBLIC HEALTH SCIENCES, WHOSE DUTIES WOULD INCLUDE RESEARCH ON HAWAII'S PROBLEM OF CHILDHOOD OBESITY," was jointly offered by Representatives Bertram, Awana, Cabanilla, Mizuno, Belatti, Chang, Finnegan, Nishimoto, Pine, Rhoads and Wakai.

H.R. No. 240, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE LEGISLATURE ON THE COSTS OF, AND THE SAFETY ISSUES RELATED TO TRAFFIC ROUNDABOUTS," was jointly offered by Representatives Bertram, Carroll, Evans, Lee, Nakasone and Nishimoto.

H.R. No. 241, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO INSTITUTE THE ELECTION OF DISTRICT COUNCIL MEMBERS BY THE RESIDENT VOTERS OF THEIR RESPECTIVE COUNCIL DISTRICTS," was jointly offered by Representatives Bertram, Evans, Carroll, Marumoto and Waters.

H.R. No. 242, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ADOPT RULES TO REGULATE THE USE OF PUBLIC BEACHES," was jointly offered by Representatives Bertram, Carroll, Souki and Yamashita.

H.R. No. 243, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ANNUALLY TO THE LEGISLATURE ON THE PROGRESS, ACCOMPLISHMENTS, AND UPCOMING SCHEDULE OF BIKE PLAN HAWAII 2003," was jointly offered by Representatives Bertram, Evans, Lee, Carroll, Nakasone, Nishimoto, Souki and Yamashita.

H.R. No. 244, entitled: "HOUSE RESOLUTION SUPPORTING THE CREATION AND WORK OF THE MAUI COUNTY HOSPITAL NEEDS TASK FORCE," was offered by Representative Bertram.

H.R. No. 245, entitled: "HOUSE RESOLUTION REQUESTING A WAIVER OR RELAXATION OF VISA REQUIREMENTS FOR HUMANITARIAN REASONS," was jointly offered by Representatives Cabanilla, Manahan, Mizuno, Sonson, Brower, Carroll, Ito, Karamatsu, Magaoay, Souki, Wakai and Waters.

H.R. No. 246, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE ISSUANCE TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES TO RESOLVE DISPUTES," was jointly offered by Representatives Cabanilla, Brower, Carroll, Evans, Magaoay, Mizuno and Waters.

H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was jointly offered by Representatives Cabanilla, Manahan, Mizuno, Sonson, Brower, Carroll, Ito, Karamatsu, Souki, Wakai and Waters.

H.R. No. 248, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AUDITOR TO AUDIT THE EWA VILLAGES REVITALIZATION PROJECT AND THAT THE TERMS OF THE MEMORANDUM OF AGREEMENT TO RENOVATE AND MAINTAIN THE HISTORIC PROPERTIES BE FACILITATED," was jointly offered by Representatives Cabanilla, Ito and Waters.

H.R. No. 249, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM," was jointly offered by Representatives Cabanilla, Mizuno, Brower, Carroll, Chang, Karamatsu, Souki and Wakai.

H.R. No. 250, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was jointly offered by Representatives Cabanilla, Carroll, Ito and Waters.

H.R. No. 251, entitled: "HOUSE RESOLUTION URGING THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES (WASC) TO INCREASE HAWAII'S MEMBERSHIP AND VOTES ON WASC TO STRENGTHEN THE STATE'S INPUT ON THE ACCREDITATION AND APPROVAL OF SCHOOLS AND COLLEGES IN THE REGION," was jointly offered by Representatives Cabanilla, Carroll, Ito and Waters.

H.R. No. 252, entitled: "HOUSE RESOLUTION REQUESTING D.H. HORTON TO SELL LAND PRESENTLY IN AGRICULTURAL CULTIVATION TO AN AGRICULTURAL INTEREST TO PRESERVE THE AGRICULTURAL ACTIVITIES ON THE LAND," was jointly offered by Representatives Cabanilla, Brower, Carroll, Evans, Ito, Magaoay and Waters.

H.R. No. 253, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND UNIVERSITY OF HAWAII TO ADDRESS THE UNDERREPRESENTATION OF FACULTY AND ADMINISTRATORS OF FILIPINO ANCESTRY WITHIN THEIR RESPECTIVE JURISDICTIONS," was jointly offered by Representatives Manahan, Cabanilla, Meyer, Pine, Shimabukuro, Tokioka, Carroll, Magaoay and Sonson.

H.R. No. 254, entitled: "HOUSE RESOLUTION REQUESTING THE OWNER AND OPERATOR OF HILO'S NANILOA VOLCANOES RESORT TO PAY WORKERS RENOVATING THE RESORT THE PREVAILING WAGE REQUIRED BY CHAPTER 104, HAWAII REVISED STATUTES," was jointly offered by Representatives Caldwell, Sonson, Chong, Ito, Say, Takamine and Waters.

H.R. No. 255, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A TEMPORARY TASK FORCE TO EXAMINE ALL RELEVANT ISSUES THAT MAY CONTRIBUTE TO THE EXODUS OF PHYSICIANS FROM HAWAII AND TO RECOMMEND WAYS TO RETAIN PHYSICIANS IN THE STATE," was jointly offered by Representatives Caldwell, Carroll, Chang, Green, Lee, Mizuno, Say, Shimabukuro, Sonson, Tokioka, Waters, Yamane, Belatti, Ito, Rhoads and Souki.

H.R. No. 256, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE MOLUCCA ALBIZIA TREE," was jointly offered by Representatives Caldwell, Carroll, Chang, Chong, Herkes, Lee, Waters, Ito, Say, Sonson and Souki.

H.R. No. 257, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF ADULT RESIDENTIAL CARE HOMES," was jointly offered by Representatives Caldwell, Chang, Chong, Green, Herkes, Ito, Say, Shimabukuro and Waters.

H.R. No. 258, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO REVIEW AND RECOMMEND A POLICY TO REDUCE THE USE OF PLASTIC GROCERY BAGS," was jointly offered by Representatives Caldwell, Lee, Carroll, Chang, Ito, Sonson, Souki, Waters and Yamane.

H.R. No. 259, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A HOUSE OF REPRESENTATIVES TASK FORCE TO DEVELOP LEGISLATION FOR SMART GROWTH, LAND USE AND DEVELOPMENT," was jointly offered by Representatives Caldwell, Carroll, Chang, Lee, Waters, Ito, Sonson, Souki and Yamane.

H.R. No. 260, entitled: "HOUSE RESOLUTION URGING THE CREATION OF A TEMPORARY TASK FORCE TO REVIEW AND DISCUSS REDUCING HAWAII'S DEPENDENCE ON IMPORTED OIL AND THE INCREASED USE OF ALTERNATIVE ENERGY SOURCES," was jointly offered by Representatives Caldwell, Carroll, Chang, Lee, Say, Sonson, Waters, Yamane, Ito and Souki.

H.R. No. 261, entitled: "HOUSE RESOLUTION RECOGNIZING THE HISTORICAL AND ARCHITECTURAL SIGNIFICANCE OF CENTRAL UNION CHURCH AND ITS CONTRIBUTIONS TO THE STATE," was jointly offered by Representatives Ching and Meyer.

H.R. No. 262, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO INCREASE THEIR MARKETING EFFORTS IN THE NICHE MARKET OF HERITAGE TOURISM," was jointly offered by Representatives Ching, Manahan, McKelvey, Awana, Meyer, and M. Oshiro.

H.R. No. 263, entitled: "HOUSE RESOLUTION CONVENING A JOINT TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE STRUCTURE AND OPERATIONS OF THE HAWAII HEALTH SYSTEMS CORPORATION," was offered by Representative Mizuno.

H.R. No. 264, entitled: "HOUSE RESOLUTION REQUESTING THE CENTER FOR PACIFIC ISLAND STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A TASK FORCE TO IDENTIFY AND ADDRESS THE NEEDS OF PACIFIC ISLANDERS IN HAWAII," was offered by Representative Mizuno.

H.R. No. 265, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SEPARATE NANAKULI HIGH SCHOOL FROM NANAKULI INTERMEDIATE SCHOOL," was jointly offered by Representatives Awana, Finnegan, Manahan, Marumoto, Berg, Bertram, Brower, Ching, Evans, Har, Shimabukuro, Sonson, Takamine and Yamashita.

H.R. No. 266, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO OPEN AND RECONFIGURE THE EASTBOUND AND WESTBOUND SHOULDER LANES FROM MAKAKILO DRIVE TO THE KUNIA INTERCHANGE NEAR THE EASTBOUND ON-RAMP ON THE H-1 FREEWAY DURING THE MORNING AND AFTERNOON RUSH HOURS TO HELP ALLEVIATE TRAFFIC CONGESTION," was jointly offered by Representatives Awana, Hanohano, Har, Mizuno, Pine, Berg, Manahan, Meyer, Nishimoto, Tokioka and Wakai.

H.R. No. 267, entitled: "HOUSE RESOLUTION ENCOURAGING KAMEHAMEHA SCHOOLS BISHOP ESTATE TO EXPLORE THE OPTION OF OPENING A LEEWARD CAMPUS ON A LOCATION ALONG THE WAIANAE COAST," was offered by Representative Awana.

H.R. No. 268, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON HOUSING FOR ESSENTIAL WORKERS," was jointly offered by Representatives Manahan, Chang, Evans, Magaoay, Mizuno, M. Oshiro, Shimabukuro, Belatti, Brower, Lee, Meyer, Pine, Rhoads, Sagum, Sonson, Souki, Wakai, Waters and Yamashita.

H.R. No. 269, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP AND IMPLEMENT A TRADE FAIR CERTIFICATION PROGRAM FOR HAWAII BUSINESSES WISHING TO PARTICIPATE IN A TRADE FAIR OR MISSION TO OBTAIN CERTIFICATION PRIOR TO EMBARKING ON FOREIGN TRADE FAIRS OR MISSIONS REPRESENTING THE STATE OF HAWAII," was jointly offered by Representatives Manahan, Yamane, Brower, Evans, Har, Lee, M. Oshiro, Pine, Rhoads, Sagum, Shimabukuro, Sonson, Souki, Wakai, Waters and Yamashita.

H.R. No. 270, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO REEVALUATE THE CURRENT STATUS OF HAWAII'S SISTER RELATIONSHIPS," was jointly offered by Representatives Manahan, Evans, Magaoay, Mizuno, Yamane, Brower, Chang, Har, Lee, M. Oshiro, Pine, Sagum, Sonson, Souki, Wakai, Waters and Yamashita.

H.R. No. 271, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII TOURISM AUTHORITY TO DEVELOP A VOLUNTARY REGISTRATION PROGRAM FOR MAINLAND HAWAIIAN ORGANIZATIONS TO MARKET HAWAII AS A VISITOR DESTINATION AND TO SHARE AND DISTRIBUTE EVENT INFORMATION, PRODUCT DEVELOPMENT IDEAS, AND WORKFORCE OPPORTUNITIES," was jointly offered by Representatives Manahan, Chang, Ching, Marumoto, Meyer, Mizuno, M. Oshiro, Shimabukuro, Yamane, Belatti, Brower, Evans, Har, Lee, Pine, Sagum, Sonson, Souki, Wakai and Yamashita.

H.R. No. 272, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ENSURE SUFFICIENT FUNDING IS MADE AVAILABLE TO THE COUNTIES FOR THE PAYMENT OF RECYCLERS WHO CARRY OUT COUNTY GLASS RECOVERY PROGRAMS," was offered by Representative Carroll.

H.R. No. 273, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF ULALENA LOOP ROAD, AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT A REPORT ON THE ESTIMATED COST OF REPAVING ULALENA LOOP ROAD," was offered by Representative Carroll.

H.R. No. 274, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was offered by Representative Carroll.

H.R. No. 275, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND THE COMMISSION ON WATER RESOURCES MANAGEMENT TO REPORT WHY EACH HAS NOT TAKEN PROACTIVE MEASURES TO ENSURE THE WATER RIGHTS OF EAST MAUI RESIDENTS AND TO ESTABLISH A SIMPLE, CLEAR, AND EFFICIENT PROCESS FOR INVESTIGATING VIOLATIONS OF WATER USE," was offered by Representative Carroll.

H.R. No. 276, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT PROJECT CUDDLE AND ASSESS THE FEASIBILITY OF ADVERTISING ITS HOTLINE," was offered by Representative Ching.

H.R. No. 277, entitled: "HOUSE RESOLUTION AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE OF THE STATE OF HAWAII, 2007-2008," was jointly offered by Representatives Finnegan, Awana, Ching, Marumoto, Meyer, Pine and Ward.

H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO REQUIRE CEMETERY AUTHORITIES TO DISTRIBUTE SUMMARIES OF THEIR AUDITED FINANCIAL STATEMENTS TO THEIR PURCHASERS," was offered by Representative Caldwell.

H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ONLINE HAWAII NO-CALL LIST," was offered by Representative Caldwell.

H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII WORKFORCE DEVELOPMENT COUNCIL TO REVIEW ITS POLICY ON ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS SO THAT THE WORKPLACE EXCELLENCE PROGRAM CAN BE ESTABLISHED IN HAWAII," was jointly offered by Representatives B. Oshiro, Sonson and Souki.

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT PASSAGE OF THE NATIONAL GUARD EMPOWERMENT ACT OF 2007," was jointly offered by Representatives Takai, Evans, Har, and M. Oshiro.

H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF ATHLETIC TRAINERS," was offered by Representative M. Oshiro, by request.

H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE TRAUMA SYSTEM," was jointly offered by Representatives Green and Mizuno.

H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CASTLE & COOKE HAWAII TO CONSIDER REPLICATING THE IWILEI PINEAPPLE WATER TOWER," was jointly offered by Representatives Marumoto, Ching, Evans, Lee, Manahan, Ward, Finnegan, Meyer, Mizuno, Rhoads, Shimabukuro, Sonson, Takumi, Tsuji, Yamane and Yamashita.

H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," was offered by Representative Karamatsu.

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES TO INCLUDE CATCHMENT WATER SYSTEMS WITHIN ITS REGULATORY FRAMEWORK," was jointly offered by Representatives Hanohano, Awana, Carroll, Evans, Manahan, Shimabukuro, Sagum, Takamine, Tsuji and Yamashita.

H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF AMBIENT AIR STANDARDS FOR HYDROGEN SULFIDE EMISSIONS TO SUSTAIN AND PROTECT THE NATURAL BEAUTY AND AIR QUALITY OF THE KA IWI COASTLINE BETWEEN MAKAPUU AND HANAUMA BAY," was jointly offered by Representatives Berg and Morita.

H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT ADMINISTRATIVE RULES TO ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL ACADEMIC CREDIT TO HIGH SCHOOL STUDENTS WHO SERVE ON NONPROFIT BOARDS, ADVISORY COUNCILS, OR COMMISSIONS," was jointly offered by Representatives Berg and Belatti.

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT ADMINISTRATIVE RULES TO ALLOW THE DEPARTMENT OF EDUCATION TO GRANT SCHOOL CREDIT TO THE STUDENT MEMBER OF THE BOARD OF EDUCATION," was jointly offered by Representatives Berg and Belatti.

H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS," was jointly offered by Representatives Berg and Belatti.

H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE COSTS ASSOCIATED WITH THE PUBLIC'S USE OF SCHOOL ATHLETIC FACILITIES," was jointly offered by Representatives Berg and Belatti.

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROTECT THE ENDANGERED HAWAIIAN STILT BY REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED MAINTENANCE DREDGING OF HAWAII KAI MARINA," was jointly offered by Representatives Berg and Morita.

H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROCLAIM THE LAST WEEK IN JULY OF EACH YEAR AS CONSERVATION WEEK," was jointly offered by Representatives Berg and Morita.

H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES ARMY TO CEASE LIVE-FIRE MILITARY TRAINING EXERCISES AT MAKUA MILITARY RESERVATION," was jointly offered by Representatives Berg and Morita.

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE GLOBAL DEMOCRACY PROMOTION ACT, WHICH WOULD REPEAL THE "GLOBAL GAG RULE" AND RELEASE MUCH-NEEDED FUNDS FOR INTERNATIONAL FAMILY PLANNING PROGRAMS," was jointly offered by Representatives Lee, Belatti, Berg, Evans, Har, Luke, Morita and Shimabukuro.

H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was jointly offered by Representatives Lee, Belatti, Cabanilla, Ching, Evans, Green, Hanohano, Herkes, Karamatsu, Morita, Nishimoto, Pine, Shimabukuro, Sonson, Takumi, Tsuji, Yamane, Yamashita and Souki.

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT THE ETHICAL RECRUITMENT OF NURSES," was jointly offered by Representatives Lee, Green, Herkes, Morita, Karamatsu, Nishimoto, Sonson, Souki, Takumi, Tsuji, Yamane and Yamashita.

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A CAPITOL GIFT SHOP IN THE STATE CAPITOL BUILDING," was jointly offered by Representatives Lee, Green, Herkes, Karamatsu, Sonson, Tsuji, Morita, Nishimoto, Souki, Takumi, Yamane and Yamashita.

H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE BREASTFEEDING MOTHERS' BILL OF RIGHTS OFFERED AS SENATE BILL NO. 1674 AND ASSEMBLY BILL NO. 3782 IN THE NEW YORK STATE LEGISLATURE," was jointly offered by Representatives Lee, Cabanilla, Ching, Green, Hanohano, Nishimoto, Shimabukuro, Sonson, Takumi, Belatti, Evans, Herkes, Morita, Souki, Tsuji, Yamane and Yamashita.

H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST IN HAWAII VENTURE CAPITAL," was jointly offered by Representatives Wakai, Brower, Chang, Hanohano, Chong, Herkes, Luke, Manahan, McKelvey, Mizuno, Nishimoto, Shimabukuro, Tsuji and Yamashita.

H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPARISON STUDY OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII AND THE BOARDS OF REGENTS OF SIMILAR STATE UNIVERSITIES ACROSS THE NATION," was jointly offered by Representatives Wakai, Hanohano, Takai, Chang, Herkes, Luke, Manahan, Mizuno, Nishimoto, Shimabukuro and Yamashita.

H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION," was jointly offered by Representatives Wakai, Hanohano, McKelvey, Brower, Chang, Herkes, Luke, Manahan, Nishimoto, Shimabukuro, Tsuji and Yamashita.

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF STATE AND COUNTY INTERSECTIONS TO DETERMINE WHETHER TRAFFIC SIGNALS PROVIDE SUFFICIENT TIME FOR ELDERLY PEDESTRIANS TO CROSS THE STREET," was jointly offered by Representatives Mizuno, Awana, Belatti, Bertram, Cabanilla, Green, Manahan, Rhoads, Ward, Berg and Souki.

H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY TO ADDRESS MAJOR CONCERNS ALONG KALIHI STREET," was offered by Representative Mizuno.

H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET," was offered by Representative Mizuno.

H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONSIDER INTERNAL MECHANISMS FOR IMPROVING ADULT PROTECTIVE SERVICES WITHOUT LEGISLATION," was jointly offered by Representatives Mizuno, Rhoads, Belatti, Bertram, Brower, Hanohano, Har, Magaoay, Shimabukuro, Tokioka and Tsuji.

H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," was jointly offered by Representatives Green and Mizuno.

H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE POLICE DEPARTMENTS OF THE COUNTIES OF MAUI, KAUAI, HAWAII, THE CITY AND COUNTY OF HONOLULU, AND THE DEPARTMENT OF PUBLIC SAFETY, SHERIFFS DIVISION, TO CONDUCT CHECKPOINTS SIMILAR TO THE PROGRAM OF "CLICK IT OR TICKET", TO BE CALLED "OPERATION ZERO TOLERANCE" TO CRACK DOWN ON AND DETER UNINSURED MOTORISTS," was offered by Representative Nishimoto.

H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE MANAGEMENT AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Nishimoto.

H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO IMPLEMENT A SYSTEM WIDE SENIOR CITIZEN VISITOR PROGRAM FOR SENIOR CITIZEN STUDENTS," was offered by Representative Nishimoto.

H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO RECOMMEND A STATUTORY DEFINITION OF "UNDEREMPLOYMENT"," was offered by Representative Nishimoto.

H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON USING PERFORMANCE AS A BASIS FOR AWARDING TAX CREDITS," was offered by Representative Yamane.

H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE HUMAN PAPILLOMAVIRUS IMMUNIZATION AVAILABLE TO INDIGENT PATIENTS AND THROUGH THE TEEN VAX PROGRAM, AND URGING INSURERS TO OFFER HUMAN PAPILLOMAVIRUS IMMUNIZATION TO FEMALE POLICYHOLDERS ELEVEN TO TWENTY-SIX YEARS OF AGE," was offered by Representative Yamane.

H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARTS CENTER FOR YOUTH, THE COLLEGE OF EDUCATION OF THE UNIVERSITY OF HAWAII, AND THE UNIVERSITY LABORATORY SCHOOL TO WORK TOGETHER TO COLLABORATE TO ESTABLISH A FACILITY FOR THE HAWAII ARTS CENTER FOR YOUTH ON THE PROPERTY LOCATED AT UNIVERSITY AVENUE AND DOLE STREET," was offered by Representative Yamane.

H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION URGING SUPPORT FOR MALAMA O KAMALI`I MAKAMAE IN ITS EFFORTS TO DEVELOP CARE HOME FACILITIES FOR ENDANGERED YOUNG CHILDREN FROM LOW-INCOME HOUSEHOLDS, INCLUDING NATIVE HAWAIIAN CHILDREN AT HIGH RISK," was offered by Representative Meyer.

H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO OBSERVE DAYLIGHT SAVING TIME," was offered by Representative Meyer.

H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE RELEVANT LEGISLATIVE COMMITTEES TO AMEND THE LAW TO ALLOW THE COUNTY SURCHARGE ON STATE TAXES TO BE USED FOR PROJECTS THAT HAVE A POSITIVE IMPACT OR DECREASE IN COSTS OF A TRANSIT CORRIDOR PROJECT SO AS TO INCLUDE HOT LANES AS A CONCURRENT SOLUTION TO TRAFFIC CONGESTION," was offered by Representative Meyer.

H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO DETERMINE THE COST FEASIBILITY OF CONSTRUCTING A FIXED-RAIL SYSTEM OF TRANSPORTATION CONNECTING THE KAHULUI-WAILUKU AREA, KIHEI, AND LAHAINA ON THE ISLAND OF MAUI," was jointly offered by Representatives McKelvey, Bertram, Carroll, Souki and Yamashita.

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAJOR COMMERCIAL PRODUCERS OF POI TO PRODUCE POI WITH LESS WATER CONTENT," was jointly offered by Representatives Hanohano, Awana, Carroll and Waters.

H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was jointly offered by Representatives Sagum and Tokioka.

[Note: The following House Concurrent Resolutions were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH'S ENVIRONMENTAL HEALTH ADMINISTRATION TO FORM A HAWAII CLIMATE ASSESSMENT TASK FORCE TO ASSESS THE EFFECTS OF CLIMATE CHANGE AND GLOBAL WARMING ON THE STATE," was jointly offered by Representatives M. Oshiro and Morita.

H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM THE SECOND SATURDAY IN OCTOBER OF EVERY YEAR AS E HOʻOLA I NA HELE DAY--GIVE LIFE TO THE TRAILS DAY," was jointly offered by Representatives Evans, Awana, Carroll, Chang, Chong, Hanohano, Har, Manahan, McKelvey, Meyer, Nishimoto, Shimabukuro, Tsuji, Belatti, Cabanilla, Ching, Herkes, Ito, Lee, Magaoay, Marumoto, Mizuno, Rhoads, Sagum, Sonson, Souki, Tokioka and Yamashita.

H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES OF THE STATE OF HAWAII TO PROPOSE REVISIONS TO THEIR RESPECTIVE COUNTY CHARTERS TO AUTHORIZE CONSOLIDATION OF THE FIRST SPECIAL ELECTION AND THE SECOND SPECIAL ELECTION FOR NONPARTISAN COUNTY ELECTIVE OFFICIALS INTO A SINGLE ELECTION HELD IN CONJUNCTION WITH THE STATE GENERAL ELECTION," was offered by Representative Evans.

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SENSE OF THE LEGISLATURE THAT THE STATE SHOULD IMMEDIATELY COMMENCE EMINENT DOMAIN PROCEEDINGS FOR KUKUI GARDENS," was jointly offered by Representatives Rhoads, Caldwell, Lee, M. Oshiro, Say and Shimabukuro.

H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was offered by Representative Marumoto.

H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PASS, AND THE PRESIDENT OF THE UNITED STATES TO SIGN, THE CAMERON GULBRANSEN KIDS AND CAR SAFETY ACT," was offered by Representative Marumoto.

H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE HISTORIC PRESERVATION DIVISION, TO REVIEW CHAPTER 6E, HAWAII REVISED STATUTES, RELATING TO HISTORIC PROPERTIES," was jointly offered by Representatives Ito, Carroll, Chong, Magaoay and Sagum.

H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CERTAIN ACTION CONCERNING THE CONDUCTING OF A TEST TO CONVERT H-POWER ASH TO REUSABLE MATERIAL," was jointly offered by Representatives Chong, Tsuji, Evans, Har, Ito, Magaoay and Say.

H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF CONSTRUCTING A DIRECT ACCESS ON-RAMP FROM THE KANEOHE-BOUND LANES OF THE LIKELIKE HIGHWAY ONTO THE WINDWARD-BOUND LANES OF THE INTERSTATE H-3 FREEWAY TO KAILUA IN ORDER TO FACILITATE TRAVEL AND REDUCE TRAFFIC CONGESTION IN KANEOHE TOWN," was jointly offered by Representatives Ito, Chong, Magaoay and Waters.

H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY TO DETERMINE PROPER OWNERSHIP OF THE LAND ON WHICH THE FORMER UNITED STATES COAST GUARD OMEGA STATION LIES," was jointly offered by Representatives Ito, Chong, Magaoay and Waters.

H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A TASK FORCE TO CONSIDER IMPLEMENTING SECTION 201.6, HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED, RELATING TO COMMUNITY BASED GOVERNANCE ON HAWAIIAN HOME LANDS," was jointly offered by Representatives Ito, Carroll, Chong, Magaoay and Sagum.

H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN AND CONDUCT A POLICY REVIEW," was jointly offered by Representatives Takai, Berg, Bertram, Cabanilla, Chang, Ching, Finnegan, Nishimoto, Saiki, Shimabukuro, Takamine, Takumi and Wakai.

H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A UNIVERSITY OF HAWAII SECOND CENTURY PROMISE TASK FORCE," was jointly offered by Representatives Takai, Berg, Bertram, Cabanilla, Chang, Ching, Finnegan, Nishimoto, Saiki, Shimabukuro, Takamine, Takumi and Wakai.

H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY WHETHER LEASES BETWEEN RELATED ENTITIES IN THE CAR RENTAL INDUSTRY SHOULD BE SUBJECT TO HAWAII'S GENERAL EXCISE TAX," was offered by Representative Herkes.

H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO LEGISLATE A REDUCTION IN FEDERALLY REGULATED FEES OR AN EXEMPTION FROM FEDERAL STATUTES FOR TRANSPORTATION COSTS FOR LIVESTOCK FEED TO HAWAII," was jointly offered by Representatives Tsuji, Berg, Brower, Chang, Hanohano, Manahan, Yamane, Yamashita and Wakai.

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," was jointly offered by Representatives Tsuji, Berg, Brower, Chang, Hanohano, Manahan, Wakai, Yamane and Yamashita.

H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A ONE-TO-ONE COMPUTER ACCESS PROGRAM WITHIN THE STATE PUBLIC SCHOOL SYSTEM," was jointly offered by Representatives M. Oshiro and Takumi.

H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND CONGRESS TO DISCONTINUE FURTHER ESCALATION OF THE WAR IN IRAQ AND TO IMMEDIATELY COMMENCE THE ORDERLY WITHDRAWAL OF AMERICAN MILITARY FORCES FROM IRAQ," was jointly offered by Representatives Shimabukuro, Rhoads, Chong, Herkes, Lee, Magaoay, Sagum, Sonson and Tsuji.

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO ENACT THE UNITED STATES NATIONAL HEALTH INSURANCE ACT," was jointly offered by Representatives Shimabukuro, Rhoads, Brower, Har, Herkes, Ito, Lee, Magaoay, Sagum, Sonson and Tsuji.

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE ON CERTAIN AQUATIC SURF RESOURCES IN THE STATE INCLUDING THE COST OF FUNDING A STUDY ON THE FEASIBILITY OF CONSTRUCTING ARTIFICIAL REEFS," was jointly offered by Representatives Shimabukuro, Lee, Rhoads, Brower, Chong, Evans, Har, Herkes, Magaoay, Sagum, Sonson and Tsuji.

H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARTS CENTER FOR YOUTH, THE COLLEGE OF EDUCATION OF THE UNIVERSITY OF HAWAII, AND THE UNIVERSITY LABORATORY SCHOOL TO WORK TOGETHER TO COLLABORATE TO ESTABLISH A FACILITY FOR THE HAWAII ARTS CENTER FOR YOUTH ON THE PROPERTY LOCATED AT UNIVERSITY AVENUE AND DOLE STREET," was offered by Representative Yamane.

H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S LAW ENFORCEMENT AGENCIES TO USE THE "A CHILD IS MISSING" ALERT PROGRAM IN LOCATING MISSING PERSONS," was jointly offered by Representatives Chang, Carroll, Evans, Hanohano, Herkes, Manahan, Mizuno, Nishimoto, Shimabukuro, Tsuji, Yamane, Bertram, Chong, Ito, Magaoay, Morita, Sagum, Takumi and Yamashita.

H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SUBMIT A REPORT WITH INFORMATION REGARDING THE SALARIES OF UH-MANOA FACULTY AND ADMINISTRATORS," was jointly offered by Representatives Chang, Har, Herkes, Karamatsu, McKelvey, Sonson, Tokioka, Tsuji, Berg, Bertram, Brower, Carroll, Ching, Chong, Evans, Finnegan, Hanohano, Ito, Magaoay, Manahan, Morita, Nakasone, Nishimoto, Sagum, Shimabukuro, Takumi, Wakai, Yamane and Yamashita.

H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE WORKERS' COMPENSATION SYSTEM OF THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT AND DEPARTMENT OF EDUCATION," was jointly offered by Representatives Sonson, Brower, Chang, Evans, Magaoay, Manahan, Marumoto, Meyer, Nakasone, M. Oshiro, Sagum, Waters and Yamane.

H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was jointly offered by Representatives Sonson, Evans, Manahan, Marumoto, Brower, Chang, Magaoay, M. Oshiro, Sagum, Waters and Yamane.

H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE F-14 TOMCAT IN DEFENDING FREEDOM," was jointly offered by Representatives Pine by request, Ching, Belatti, Green, Herkes, Marumoto, Mizuno, Nishimoto, Sonson, Souki, Ward and Waters.

H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF CONSUMER PROTECTION TO ESTABLISH A TASK FORCE TO REVIEW THE PROCESSES, PROCEDURES, AND THE FUNDING MECHANISMS OF THE OFFICE OF DISCIPLINARY COUNSEL," was offered by Representative Luke.

H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING AN ELDER ABUSE TASK FORCE," was jointly offered by Representatives Mizuno, Brower, Carroll, Evans, Hanohano, Ito, Magaoay, Nishimoto, Sonson and Wakai.

H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPLEMENTATION OF THE CASH AND COUNSELING PROGRAM IN OTHER STATES," was jointly offered by Representatives Mizuno, Evans, Hanohano, Brower, Carroll, Ito, Magaoay, Nishimoto, Sonson and Wakai.

H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY PRE-PAID OR PRE-NEED FUNERAL OR BURIAL PLANS," was jointly offered by Representatives Mizuno, Evans, Hanohano, Brower, Carroll, Ito, Magaoay, Nishimoto, Sonson and Wakai.

H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI'I AT MANOA COLLEGE OF SOCIAL SCIENCES PUBLIC POLICY CENTER TO CONDUCT A COST-BENEFIT ANALYSIS FOR A FAMILY CAREGIVER TAX CREDIT," was jointly offered by Representatives Mizuno, Hanohano, Sonson, Brower, Carroll, Evans, Ito, Magaoay, Nishimoto, Rhoads, Wakai and Waters.

H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CLERK OF EACH COUNTY TO MAIL ABSENTEE BALLOTS IN A TIMELY MANNER TO PROMOTE INFORMED VOTING," was jointly offered by Representatives Mizuno, Hanohano, Sonson, Brower, Carroll, Ito, Magaoay, Nishimoto, Rhoads and Wakai.

H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE," was jointly offered by Representatives Mizuno, Carroll, Evans, Hanohano, Brower, Ito, Magaoay, Nishimoto, Rhoads, Sonson, Wakai and Waters.

H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES," was jointly offered by Representatives Mizuno, Carroll, Evans, Sonson, Brower, Hanohano, Ito, Magaoay, Nishimoto, Rhoads, Wakai and Waters.

H.C.R. No. 189, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS CHILDREN IN HAWAII," was jointly offered by Representatives Mizuno, Carroll, Hanohano, Manahan, Brower, Ito, Lee, Magaoay, Nishimoto, Rhoads, Sonson, Souki, Wakai and Waters.

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was jointly offered by Representatives Magaoay, Belatti, Chang, Ching, Finnegan, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sonson, Tokioka, Tsuji, Wakai, Berg, Cabanilla and Sagum.

H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY OPPOSING THE FEE INCREASES PROPOSED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES," was jointly offered by Representatives Magaoay, Belatti, Chang, Ching, Finnegan, Herkes, Manahan, Mizuno, Pine, Sonson, Tokioka, Berg, Cabanilla, Karamatsu, Sagum, Tsuji and Wakai.

H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007 BY ADOPTING H.R. 760 AND S. 57, OR SIMILAR LEGISLATION, TO PROVIDE FEDERAL VETERANS BENEFITS AND SERVICES TO WORLD WAR II FILIPINO AND FILIPINO AMERICAN VETERANS," was jointly offered by Representatives Magaoay, Belatti, Chang, Ching, Finnegan, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sonson, Tokioka, Tsuji, Wakai, Berg, Cabanilla and Sagum.

H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE ACCESS," was jointly offered by Representatives Magaoay, Chang, Ching, Herkes, Karamatsu, Manahan, Mizuno, Pine, Sagum, Sonson, Tokioka, Tsuji, Belatti, Cabanilla, Finnegan and Wakai.

H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND THE IMPACTS THAT A LARGE INCREASE IN EMPLOYEES MAY HAVE ON THE SPARSELY POPULATED NORTH SHORE OF OAHU," was jointly offered by Representatives Magaoay, Caldwell, Evans, Green, B. Oshiro, Ito, Lee, Sonson, Souki and Yamane.

H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was jointly offered by Representatives Magaoay, Caldwell, Evans, Green, Lee, B. Oshiro, Ito, Sonson, Souki and Yamane.

H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO REPORT ON THE STATUS OF WAIMEA VALLEY," was jointly offered by Representatives Magaoay, Caldwell, Green, Lee, B. Oshiro, Sonson, Takai, Bertram, Carroll, Chong, Evans, Har, Ito, Manahan, Sagum, Souki, Tsuji, Wakai and Yamane.

H.C.R. No. 197, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND MANAGERS RIDGE LLC TO DEVELOP A PLAN FOR THE CONTINUATION OF THE KAHUKU HIGH AND INTERMEDIATE SCHOOL AGRICULTURE PROGRAM," was jointly offered by Representatives Magaoay, Caldwell, Green, Lee, Meyer, B. Oshiro, Sagum, Sonson, Takai, Bertram, Chong, Evans, Har, Ito, Manahan, Souki, Tsuji, Wakai and Yamane.

H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF AN OPEN ROAD RACING EVENT ON OAHU," was jointly offered by Representatives Karamatsu, Har, Manahan, Sonson, Yamane, Brower, Herkes, Lee, Nakasone, Souki, Wakai and Yamashita.

H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO WORK WITH THE COUNTY AND FEDERAL GOVERNMENTS TO IMPLEMENT THE 2006 OCEAN RESOURCES MANAGEMENT PLAN," was jointly offered by Representatives Ito, Chong and Magaoay.

H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS," was jointly offered by Representatives Nishimoto, Evans, Har, Lee, Morita, Saiki, Sonson, Carroll, Chong, Green, Magaoay, Manahan, Meyer, Nakasone, Rhoads, Shimabukuro, Takamine, Takumi, Tsuji, Yamane and Yamashita.

H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO WORK WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was jointly offered by Representatives Nishimoto, Evans, Har, Manahan, Marumoto, Meyer, Saiki, Waters, Carroll, Magaoay, Rhoads, Say and Wakai.

H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was jointly offered by Representatives Lee, Belatti, Cabanilla, Green, Hanohano, Herkes, Karamatsu, Morita, Nishimoto, Pine, Shimabukuro, Sonson, Takumi, Tsuji, Yamane, Yamashita, Evans and Souki.

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HEALTH TO DEVELOP A SKIN CANCER EDUCATION AND PREVENTION PROGRAM AND COLLECT DATA ON THE INCIDENCE OF ALL FORMS OF SKIN CANCER AMONG RESIDENTS AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A CANCER AWARENESS PROGRAM IN ALL PUBLIC SCHOOLS," was jointly offered by Representatives Lee, Belatti, Cabanilla, Green, Karamatsu, Manahan, Mizuno, B. Oshiro, Rhoads, Takai, Berg, Brower, Chang, Morita, Nishimoto, M. Oshiro, Souki, Takumi, Yamane and Yamashita.

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was jointly offered by Representatives Lee, Green, Mizuno, Pine, Rhoads, Shimabukuro, Ching, Evans, Nishimoto, Saiki, Sonson, Souki, Waters and Yamane.

H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT TO THE LEGISLATURE ON THE COST OF ESTABLISHING A SUN PROTECTION PROGRAM FOR STUDENTS IN PUBLIC SCHOOLS AND COUNTY-SPONSORED PROGRAMS," was offered by Representative Lee.

H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO REPEAL OR AMEND THAT PORTION OF PUBLIC LAW NO. 109-364 THAT ALLOWS THE PRESIDENT TO TAKE CONTROL OF THE NATIONAL GUARD WITHOUT THE CONSENT OF THE GOVERNOR AND TO DECLARE MARTIAL LAW," was jointly offered by Representatives M. Oshiro and Evans.

H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING KAMEHAMEHA SCHOOLS BISHOP ESTATE TO KEEP KAMILO NUI VALLEY IN AGRICULTURAL LAND USE AND TO RENEGOTIATE AFFORDABLE LEASE RENTS TO ALLOW EXISTING FARMERS TO REMAIN ON THEIR FARM LOTS UNTIL 2025," was offered by Representative Ward.

H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII AMERICAN WATER COMPANY TO IMPLEMENT AN ODOR MITIGATION PLAN FOR ITS FACILITY IN HAWAII KAI," was offered by Representative Ward.

H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII KAI COMMUNITY ORGANIZATIONS TO ESTABLISH A KA IWI SHORELINE ADVISORY WATCH," was offered by Representative Ward.

H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REQUIRE DEVELOPERS TO APPEAR BEFORE THE APPROPRIATE NEIGHBORHOOD BOARDS FOLLOWING CHANGES IN CONSTRUCTION OR DEVELOPMENT PLANS PREVIOUSLY APPROVED BY THE NEIGHBORHOOD BOARD," was offered by Representative Ward.

H.C.R. No. 211, entitled: "HOUSE CONCURRENT RESOLUTION URGING THAT THE TENURE PROVISIONS OF THE HAWAII STATE TEACHERS ASSOCIATION CONTRACT WITH THE STATE BE AMENDED TO DECREASE THE HIGH TURNOVER RATE OF TEACHERS IN RURAL AREA SCHOOLS, AND PREVENT THOSE SCHOOLS FROM BEING DISPROPORTIONATELY STAFFED WITH INEXPERIENCED, UNTENURED TEACHERS," was offered by Representative Shimabukuro.

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO PROTECT THE TRADITIONAL HAWAIIAN TARO VARIETIES AND THE FAMOUS TARO GROWING AREAS (WET AND DRY) OF THE STATE AS UNIQUE AND CHERISHED RESOURCES CONTRIBUTING TO THE SPECIAL IDENTITY AND WELL-BEING OF HAWAI'I," was offered by Representative Shimabukuro.

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF DEFENSE TO ALLOW MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO ARE STILL RECOVERING FROM ILLNESSES OR INJURIES INCURRED IN THE LINE OF DUTY WHILE MOBILIZED FOR DEPLOYMENT TO IRAQ OR AFGHANISTAN, AND WHO HAVE EITHER BEEN DISCHARGED FOR MEDICAL REASONS OR RELEASED FROM ACTIVE DUTY TO THEIR RESERVE COMPONENT UNITS, TO CONTINUE TO HAVE ACCESS TO DEPARTMENT OF DEFENSE MEDICAL FACILITIES ON THE SAME BASIS AS ACTIVE DUTY SERVICE MEMBERS, OR TO RECEIVE TRICARE COVERAGE ON THE SAME BASIS AS RETIREES," was offered by Representative Shimabukuro.

H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND THE HONOLULU CITY COUNCIL TO RESTRICT ANNUAL PROPERTY TAX INCREASES TO LESS THAN TEN PER CENT OF THE PRIOR YEAR'S PROPERTY TAX ASSESSMENT," was jointly offered by Representatives Rhoads, Belatti, Brower, Ching, Takai and Sonson.

H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was jointly offered by Representatives Berg, Belatti, Carroll, Chang, Ching, Green, Har, Mizuno, Pine, Rhoads, Shimabukuro, Takai, Takumi, Bertram, Finnegan and Tokioka.

H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING A COMPREHENSIVE MANAGEMENT REVIEW OF THE DEPARTMENT OF EDUCATION'S OPERATIONS," was offered by Representative Finnegan, by request.

H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," was offered by Representative Finnegan.

H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF HALE NA'AU PONO AND THE DEPARTMENT OF HEALTH'S COMMUNITY HEALTH CENTERS' DELIVERY OF MENTAL HEALTH SERVICES TO RESIDENTS STATEWIDE," was jointly offered by Representatives Finnegan, by request, Awana, Hanohano, Har, Meyer, Mizuno, Berg, Manahan, Tokioka and Wakai.

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED UNITS AT KALIHI VALLEY HOMES FROM THE LIST OF STRUCTURES SCHEDULED FOR DEMOLITION AND TO WORK WITH THE HAWAII PUBLIC HOUSING AUTHORITY TO RENOVATE THE BUILDINGS INSTEAD," was offered by Representative Mizuno.

H.C.R. No. 220, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF MONETARY AWARDS IN TORT CASES IN HAWAII WITHIN THE PREVIOUS FIVE YEARS," was jointly offered by Representatives Yamashita, Caldwell, Chong, Evans, Green, Manahan, Mizuno, Sonson, Tsuji, Yamane, Carroll, Herkes, Ito, Magaoay, Nakasone, M. Oshiro, Shimabukuro, Souki and Waters.

H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTI-PURPOSE AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was jointly offered by Representatives Yamashita and Say.

H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO ASSESS AND RECOMMEND CHANGES IN THE ADMINISTRATION OF STATE WORKFORCE DEVELOPMENT PROGRAMS," was jointly offered by Representatives Yamashita and Say.

H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO DEVELOP A DEVELOPMENT, EARLY EDUCATION, AND EDUCATION PLAN FOR CHILDREN WITH DOWN SYNDROME," was jointly offered by Representatives Meyer, Awana, Marumoto and Ward.

H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHICH VIOLATIONS REQUIRE THE TIME AND RESOURCES OF THE DISTRICT COURT FOR ADJUDICATION," was jointly offered by Representatives Meyer, Awana, Marumoto and Ward.

H.C.R. No. 225, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXAMINER OF DRIVERS TO MAKE FINDINGS OF REASONABLE CAUSE OF INCOMPETENCE BASED UPON REPORTS OF VARIOUS PROFESSIONALS OR PEOPLE," was jointly offered by Representatives Meyer, Lee, Magaoay, Marumoto, Nishimoto, Pine, Souki and Ward.

H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES TO COMPLY WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 AND TO SERVE THE NEEDS OF OUR CHILDREN AND FAMILIES," was jointly offered by Representatives Meyer, Awana, Marumoto and Ward.

H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CONTINUED VIABILITY OF KEWALO BASIN HARBOR BY TRANSFERRING AND MAINTAINING EXCLUSIVE AUTHORITY UNDER THE DEPARTMENT OF TRANSPORTATION," was jointly offered by Representatives Brower, Manahan, Mizuno, Tokioka, Berg, Bertram, Evans, Har, Herkes, Karamatsu, Magaoay, Sonson, Souki, Wakai, Yamane and Yamashita.

H.C.R. No. 228, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE EFFORTS OF THE JERUSALEM PROJECT AND EXTENDING EXPRESSIONS OF HOPE FOR A CONTINUUM OF PEACEFUL INTERACTION, COOPERATION, AND DIALOGUE BETWEEN THE PEOPLES AND THE NATIONS OF THE MIDDLE EAST," was jointly offered by Representatives Brower, Cabanilla, Karamatsu, Manahan, Mizuno, Berg, Bertram, Carroll, Herkes, Ito, Magaoay, McKelvey, Rhoads, Sonson, Souki and Tokioka.

H.C.R. No. 229, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO TAKE ACTION TO OBTAIN ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF DEFENSE TO CONDUCT AN ENVIRONMENTAL ASSESSMENT OF THE STORAGE USE, AND DISPOSAL OF DEPLETED URANIUM MUNITIONS IN HAWAII," was jointly offered by Representatives Evans, Carroll and Har.

H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A PANEL TO STUDY THE RELATIONSHIP BETWEEN THE INTERISLAND TRANSPORTATION OF GILL NETS OR LAY NETS AND THE SPREAD OF FOREIGN MARINE SPECIES," was jointly offered by Representatives Evans, Carroll, Chong and Har.

H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO ADDRESS CONCERNS REGARDING THE INSPECTION OF PLANTS AND PRODUCTS FROM FOREIGN COUNTRIES TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE," was jointly offered by Representatives Evans, Carroll, Chong and Har.

H.C.R. No. 232, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE SECONDARY-LEVEL STUDENTS WITH LUNCH IF THEY ARE UNABLE TO PAY, AND OBTAIN REIMBURSEMENT FROM THEIR PARENTS," was jointly offered by Representatives Evans, Carroll, Chong and Har.

H.C.R. No. 233, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE EFFECTIVENESS OF THE DEPARTMENT'S BOATING SPEED LIMIT GUIDELINE IN DESIGNATED HUMPBACK WHALE AREAS," was jointly offered by Representatives Evans, Carroll, Chang and Har.

H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE JUDICIARY'S PROGRAMS FOR PERSONS SENTENCED TO COMMUNITY SERVICE," was jointly offered by Representatives Evans, Har, Carroll, Chong and Ito.

H.C.R. No. 235, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CANVASS LEGISLATION IN OTHER STATES TARGETED SPECIFICALLY AT REDUCING NEGATIVE MEDICAL OUTCOMES," was jointly offered by Representatives Evans, Carroll, Chong, Har and Ito.

H.C.R. No. 236, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE A TEMPORARY TASK FORCE TO EXAMINE ALL RELEVANT ISSUES, OTHER THAN MEDICAL MALPRACTICE LIABILITY AND INSURANCE PREMIUMS, THAT MAY CONTRIBUTE TO THE EXODUS OF PHYSICIANS FROM THE STATE," was jointly offered by Representatives Evans, Carroll, Chang, Chong, Har and Ito.

H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE AIR COOLING NEEDS OF EACH SCHOOL COMPLEX AND TO REVIEW THE FEASIBILITY OF USING ALTERNATIVE AIR COOLING METHODS SUCH AS FANS, HEAT REDUCTION, INSULATION, AND ENERGY EFFICIENT INDIVIDUAL AIR CONDITIONING WALL UNITS," was jointly offered by Representatives Chong, Ito, Manahan, Mizuno, Tsuji, Waters, Yamane, Yamashita and Takumi.

H.C.R. No. 238, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO INCREASE ACADEMIC SERVICES TO STUDENTS IN THE AFTER-SCHOOL PLUS PROGRAM," was jointly offered by Representatives Chong and Berg.

H.C.R. No. 239, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ASSESS THEIR CURRENT LICENSE AND PERMIT APPLICATION PROCESS FOR TRANSIENT VACATION RENTALS," was offered by Representative Chong, by request.

H.C.R. No. 240, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO RECOMMEND A PROCESS TO CREATE A CITIZEN ROAD WATCH PROGRAM," was offered by Representative Chong.

H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF TRANSPORTATION SERVICES, AND VANPOOL HAWAII TO WORK COOPERATIVELY TO CREATE A SENIOR VAN POOL PROGRAM," was offered by Representative Chong.

H.C.R. No. 242, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A KAPAA QUARRY ROAD SAFETY TASK FORCE TO CONDUCT A STUDY TO DEVELOP AND RECOMMEND TRAFFIC SAFETY MEASURES FOR KAPAA QUARRY ROAD IN ORDER TO ALLEVIATE DANGEROUS ROAD CONDITIONS AND REDUCE HAZARDOUS DRIVING PRACTICES," was jointly offered by Representatives Chong, Ito, Souki and Waters.

H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A MULTIMEDIA ACCELERATED LEARNING TECHNOLOGY PILOT PROGRAM IN PUBLIC SCHOOLS," was jointly offered by Representatives Chang, Ching, Har, Karamatsu, Lee, Shimabukuro, Waters, Bertram, Carroll, Chong, Herkes, Ito, Sonson, Souki and Yamane.

H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING SEPTEMBER 28 AS CONFUCIUS DAY IN HAWAII," was jointly offered by Representatives Chang, Ching, Lee, Waters, Bertram, Caldwell, Carroll, Chong, Finnegan, Har, Herkes, Ito, Karamatsu, Shimabukuro, Sonson and Souki.

H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS FROM PACIFIC ISLAND JURISDICTIONS THAT HAVE HISTORICAL TIES TO THE UNITED STATES BUT DO NOT HAVE PUBLIC HIGHER EDUCATIONAL INSTITUTIONS THAT GRANT BACCALAUREATE DEGREES," was jointly offered by Representatives Chang, Berg, Carroll, Har, Shimabukuro, Waters, Bertram, Chong, Finnegan, Herkes, Ito, Karamatsu, Lee, Sonson and Souki.

H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF FORMING A CENTER FOR HYDROGEN BASED ENERGY STUDY," was jointly offered by Representatives Chang, Ching, Har, Herkes, Karamatsu, Lee, Magaoay, Mizuno, Waters, Carroll, Chong, Finnegan, Ito, Sagum, Shimabukuro, Sonson and Souki.

H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE IDENTITY THEFT TASK FORCE TO IDENTIFY WAYS IN WHICH THE PROCESS OF NOTARIZING DOCUMENTS CAN BE IMPROVED TO REDUCE IDENTITY THEFT," was offered by Representative Tokioka.

H.C.R. No. 248, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP COST ESTIMATES AND PLANS TO MAKE EXTENSIVE RENOVATIONS TO KAPAA, KAUAI, AND WAIMEA HIGH SCHOOL GYMNASIUMS," was offered by Representative Tokioka.

H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES AND THE CITY AND COUNTY OF HONOLULU TO CONSIDER BUILDING A BIKEWAY CORRIDOR ALONGSIDE THE FIXED GUIDEWAY SYSTEM AND UNDERNEATH THE ELEVATED SECTIONS," was jointly offered by Representatives Sonson, Cabanilla, Ching, Marumoto, Pine, Herkes, Meyer, M. Oshiro, Souki and Wakai.

H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO SURVEY WHETHER AND HOW WORKERS' COMPENSATION LAWS IN OTHER STATES ARE USED TO COVER EMPLOYEE DISABILITIES CAUSED BY MULTIPLE CHEMICAL SENSITIVITIES," was jointly offered by Representatives Sonson, Cabanilla, Herkes, M. Oshiro, Pine, Souki and Wakai.

H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE EMPLOYEES' RETIREMENT SYSTEM," was jointly offered by Representatives Sonson, Cabanilla, M. Oshiro and Souki.

H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVES IN UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was offered by Representative Sonson.

H.C.R. No. 253, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO REQUEST THE FEDERAL GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE WITHIN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was jointly offered by Representatives Carroll, Chang, Evans, Hanohano, Lee, McKelvey, Mizuno, Rhoads, Waters, Bertram, Brower, Caldwell, Chong, Magaoay, Nakasone, Nishimoto, M. Oshiro, Sagum, Sonson, Souki, Tsuji, Wakai and Yamashita.

H.C.R. No. 254, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE GREENBELTS STRATEGY TO PROMOTE IDENTIFICATION OR DEVELOPMENT OF TRANSPORTATION MANAGEMENT SYSTEMS THAT ARE BASED ON THE REDUCTION OF AUTOMOBILE USE OR ALTERNATIVES TO THE AUTOMOBILE," was jointly offered by Representatives Carroll, McKelvey and Brower.

H.C.R. No. 255, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF CULTURALLY VALUABLE DISTRICTS THROUGHOUT THE STATE," was jointly offered by Representatives Carroll, McKelvey and Brower.

H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO COVER MARRIAGE AND FAMILY THERAPISTS' SERVICES WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," was jointly offered by Representatives Carroll, Sonson, Brower, Hanohano, Lee, Takumi, Tokioka and Yamashita.

H.C.R. No. 257, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO DEVELOP A LONG-RANGE, COMPREHENSIVE PLAN FOR THE FUTURE OF KALAUPAPA," was jointly offered by Representatives Carroll, Chang, Chong, Evans, Hanohano, Magaoay, Mizuno, Nishimoto, Waters, Bertram, Brower, Caldwell, Lee, Nakasone, M. Oshiro, Rhoads, Sagum, Sonson, Souki, Tsuji, Wakai and Yamashita.

H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO ESTABLISH INSTREAM FLOW STANDARDS FOR ALL STREAMS IN THE HANA DISTRICT," was jointly offered by Representatives Carroll, Hanohano, Waters, Bertram, Brower, Caldwell, Chang, Chong, Evans, Lee, Magaoay, Mizuno, Nakasone, Nishimoto, M. Oshiro, Sagum, Sonson, Souki, Wakai and Yamashita.

H.C.R. No. 259, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSIST IN THE PERPETUATION OF AGRICULTURAL ACTIVITIES ON THE EWA PLAINS," was jointly offered by Representatives Chong, Karamatsu, Yamane and Yamashita.

H.C.R. No. 260, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Carroll, Chong, Evans, Hanohano, McKelvey, Bertram, Brower, Magaoay, Mizuno, Nishimoto, M. Oshiro, Sonson, Souki, Wakai and Waters.

H.C.R. No. 261, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE ALTERNATIVE ENERGY SYSTEMS TO POWER WATER PUMPS IN THE WAIKOLU TUNNEL OF THE MOLOKAI IRRIGATION SYSTEM," was jointly offered by Representatives Carroll, Caldwell, Hanohano, Lee, Waters, Yamashita, Bertram, Brower, Chang, Chong, Evans, Magaoay, Mizuno, Nakasone, Nishimoto, Rhoads, Sagum, Sonson, Souki, Tsuji and Wakai.

H.C.R. No. 262, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE ADJUTANT GENERAL TO TAKE A VARIETY OF ACTIONS WITH RESPECT TO THE EXPOSURE OF MEMBERS OF THE HAWAII NATIONAL GUARD AND VETERANS TO DEPLETED URANIUM," was jointly offered by Representatives Carroll, Chang, Hanohano, Mizuno, Waters, Yamashita, Bertram, Brower, Caldwell, Chong, Evans, Magaoay, McKelvey, Nakasone, Nishimoto, M. Oshiro, Sagum, Sonson, Souki, Tsuji and Wakai.

H.C.R. No. 263, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF A NATIVE HAWAIIAN HEALING PROGRAM ON KAHOʻOLAWE," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Waters, Bertram, Brower, Chong, Lee, Magaoay, Mizuno, Nishimoto, M. Oshiro, Rhoads, Sonson and Wakai.

H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECT OF THE PUBLIC PROCUREMENT PROCESS ON PUBLIC EDUCATION AND GOVERNMENT ACCESS TELEVISION STATIONS," was jointly offered by Representatives Carroll, McKelvey, Bertram, Brower, Caldwell, Chang, Evans, Hanohano, Magaoay, Mizuno, Nakasone, Nishimoto, Sagum, Sonson, Souki, Tsuji, Wakai and Waters.

H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND SUPPORTING THE NOMINATION AND DESIGNATION OF THE NORTHWESTERN HAWAIIAN ISLANDS MARINE NATIONAL MONUMENT, PAPAHANAUMOKUAKEA, AS A WORLD HERITAGE SITE," was jointly offered by Representatives Morita, Belatti, Berg, Brower, Caldwell, Hanohano, Lee, Nishimoto, B. Oshiro, Rhoads, Saiki, Takai, Wakai and Cabanilla.

H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO COLLABORATE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE TO DEVELOP A TREE CROP INSURANCE PROGRAM FOR TREE FARMS IN HAWAII," was jointly offered by Representatives Morita, Brower, Sagum, Tokioka, Tsuji and Yamashita.

H.C.R. No. 267, entitled: "HOUSE CONCURRENT RESOLUTION URGING STATE AND COUNTY AGENCIES TO ACCOUNT FOR SEA-LEVEL RISE AND MINIMIZE RISKS FROM COASTAL HAZARDS," was jointly offered by Representatives Morita, Belatti, Berg, Carroll, Hanohano, Lee, B. Oshiro, M. Oshiro and Sagum.

H.C.R. No. 268, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON ESTABLISHING A HAWAII STATE GEOLOGICAL SURVEY," was jointly offered by Representatives Morita, Awana, Belatti, Caldwell, Carroll, Ching, Evans, Herkes, Lee, Manahan, Marumoto, Takai, Bertram, Cabanilla and Sagum.

H.C.R. No. 269, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OWNERS OF THE TURTLE BAY RESORT TO STOP FURTHER DEVELOPMENT PENDING THE PREPARATION AND ACCEPTANCE OF A SUPPLEMENTAL STATEMENT TO ITS ENVIRONMENTAL IMPACT STATEMENT," was jointly offered by Representatives Morita, Berg, Carroll, Green, Hanohano, Magaoay, Belatti and Bertram.

H.C.R. No. 270, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL TO REPORT TO THE LEGISLATURE ON THE EFFECTIVENESS OF THE HAWAII ENVIRONMENTAL PROTECTION ACT AND RECOMMEND CHANGES," was jointly offered by Representatives Morita, by request, Belatti, Berg, Bertram, Carroll, Chong, Green, Hanohano and Magaoay.

H.C.R. No. 271, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSESS THE FEASIBILITY OF ACQUIRING PROPERTY NEAR THE ISAAC HALE BEACH PARK AND POHOIKI BOAT RAMP IN PUNA, HAWAII," was offered by Representative Hanohano.

H.C.R. No. 272, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO INCLUDE IN ALL LAND USE APPROVALS FOR RESIDENTIAL DEVELOPMENTS, CONDITIONS REQUIRING THE CONCURRENT PROVISION OF ALL INFRASTRUCTURE REQUIRED BY THE DEVELOPMENT," was jointly offered by Representatives Har, Awana, Evans, Hanohano, Lee, Manahan, McKelvey, Tokioka, Chang, Karamatsu, Magaoay and Yamashita.

H.C.R. No. 273, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HONOLULU CITY COUNCIL TO ADOPT AN ORDINANCE REQUIRING THE DEPARTMENT OF PLANNING AND PERMITTING TO ENSURE THAT THE INFRASTRUCTURE NECESSARY TO SUPPORT ANY NEW DEVELOPMENT IS BUILT," was jointly offered by Representatives Har, Awana, Chang, Evans, Hanohano, Karamatsu, McKelvey and Tokioka.

H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO PASS AN ORDINANCE REQUIRING PLANS AND PERMITS FOR ALL LARGE RESIDENTIAL OR COMMERCIAL DEVELOPMENTS BE IN COMPLIANCE WITH SMART GROWTH PRINCIPLES," was jointly offered by Representatives Har, Awana, Chang, Evans, Hanohano, Karamatsu, Lee, McKelvey, Tokioka and Yamashita.

H.C.R. No. 275, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT ENABLING LEGISLATION TO PERMIT STATE REGULATION OF INTERISLAND AIR CARRIERS BY AN AIR CARRIER COMMISSION ESTABLISHED PURSUANT TO ACT 332, SESSION LAWS OF HAWAII 1993," was jointly offered by Representatives Souki, Cabanilla, Caldwell, Chang, Chong, Herkes, Ito, Karamatsu, Lee, Waters and Yamane.

H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE ENACTMENT BY THE CALIFORNIA STATE LEGISLATURE OF A BILL PROPOSING TO IMPOSE A FEE ON THE PROCESSING OF SHIPPING CONTAINERS IN THE STATE OF CALIFORNIA BECAUSE OF THE NEGATIVE IMPACT OF THE FEE ON THE PEOPLE AND THE ECONOMY OF THE STATE OF HAWAII," was jointly offered by Representatives Souki, Cabanilla, Caldwell, Chang, Chong, Herkes, Ito, Karamatsu, Lee, Magaoay, Waters and Yamane.

H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE HONOLULU CITY COUNCIL TO RECONSIDER THE SELECTION OF THE SALT LAKE ALIGNMENT AND TO COMMIT TO CONSTRUCTION OF THE FIXED GUIDEWAY SYSTEM ALONG THE AIRPORT/PEARL HARBOR ALIGNMENT," was jointly offered by Representatives Ching, Awana, Hanohano, Har, Marumoto, Shimabukuro, Takai, Ward and Bertram.

H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF MAUI TO PROVIDE FOR THE IMMEDIATE REPAIR OF HUI F ROAD, AND URGING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was jointly offered by Representatives McKelvey, Hanohano, Har, Mizuno, Bertram, Carroll, Evans, Souki and Yamashita.

H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO IMMEDIATELY REMOVE THE DERELICT SAILBOAT "DOLPHIN" FROM THE REEF IN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY AREA FACING FRONT STREET, LAHAINA, MAUI," was jointly offered by Representatives McKelvey, Awana, Bertram and Hanohano.

H.C.R. No. 280, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON CREATING A ONE-STOP PERMIT SHOP FOR RENEWABLE ENERGY PROJECTS," was jointly offered by Representatives Say, Caldwell and Carroll.

H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF TAXATION TO SUBMIT PROPOSED LEGISLATION TO ASSIST THE DEVELOPMENT AND TESTING OF A RAPID ELECTROCHEMICAL DETECTION PRODUCT WITH TAX INCENTIVES TO PRIVATE COMPANIES FOR RELATED WORK," was offered by Representative Say, by request.

H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SEEK AMENDMENTS TO THE MEDICARE PAYMENT SYSTEM TO INCREASE REIMBURSEMENTS TO HAWAII'S HOSPITALS," was offered by Representative Green.

H.C.R. No. 283, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE, IN COOPERATION WITH THE DEPARTMENT OF HEALTH, TO BEGIN NECESSARY PREPARATIONS TO ESTABLISH A MOBILE EMERGENCY HOSPITAL UNIT IN HAWAII," was jointly offered by Representatives Green and Mizuno.

H.C.R. No. 284, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR USE OF THE LG1 INTELLIGENT MEDICAL VIGILANCE SYSTEM," was jointly offered by Representatives Green and Mizuno.

H.C.R. No. 285, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE OFFICE OF HAWAIIAN AFFAIRS AND THE EXECUTIVE BRANCH TO NEGOTIATE A SETTLEMENT REGARDING THE INCOME AND PROCEEDS FROM THE PUBLIC LAND TRUST," was offered by Representative Say, by request.

H.C.R. No. 286, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE USE OF THE NAME "PAPAHANAUMOKUAKEA MARINE NATIONAL MONUMENT"," was offered by Representative Say, by request.

H.C.R. No. 287, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REPORT ON ITS EXPERIENCE WITH AND TO EVALUATE THE CURRENT SYSTEM FOR CONDOMINIUM DISPUTE RESOLUTION," was offered by Representative Say, by request.

H.C.R. No. 288, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE HAWAII TOURISM AUTHORITY, AND THE HAWAII VISITORS AND CONVENTION BUREAU TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was jointly offered by Representatives Say, Manahan and Yamane.

H.C.R. No. 289, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACT ON THE STATE ECONOMY CAUSED BY THE CONCENTRATION IN OWNERSHIP OF COMMERCIAL AND INDUSTRIAL LANDS," was offered by Representative Say.

H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was jointly offered by Representatives Say and Yamashita.

H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was jointly offered by Representatives Say and Chang.

H.C.R. No. 292, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE NUUANU-LILIHA CORRIDOR AS THE NUUANU-LILIHA HISTORIC CORRIDOR," was jointly offered by Representatives Rhoads and Ching.

H.C.R. No. 293, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CHANGE THE HAWAII ADMINISTRATIVE RULES TO ALLOW RAPID HIV TESTING IN THE STATE," was jointly offered by Representatives Belatti, Hanohano, Marumoto, Mizuno, Takai, Berg, Bertram, Brower, Cabanilla, Ching, Finnegan, Har, McKelvey, Meyer, Rhoads, Sonson, Takamine, Takumi and Wakai.

H.C.R. No. 294, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE QUEST PROGRAM TO EVALUATE ITS CURRENT PERFORMANCE IN STABILIZING HEALTH CARE COSTS AND EXPANDING ACCESS TO HEALTH CARE SERVICES IN HAWAII," was offered by Representative Belatti, by request.

H.C.R. No. 295, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII BROADBAND TASK FORCE TO EXPAND BROADBAND ACCESS AND USAGE IN HAWAII," was jointly offered by Representatives Yamashita, and M. Oshiro.

H.C.R. No. 296, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AT LEAST ONE CIVIC STANDARD AT EVERY GRADE LEVEL FROM K-12 THAT INTEGRATES SERVICE LEARNING AND EXPECTS STUDENTS TO ENGAGE, PARTICIPATE, AND BECOME ACTIVELY INVOLVED IN THEIR COMMUNITIES," was jointly offered by Representatives Bertram, Berg, Finnegan and Belatti.

H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STATION A LIFEGUARD AT MAKENA BEACH PARK," was offered by Representative Bertram.

H.C.R. No. 298, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF LABOR AND INDUSTRIAL RELATIONS TO EXPLORE THE POSSIBILITY OF EXPANDING THE DISLOCATED WORKERS PROGRAM," was jointly offered by Representatives Bertram, Awana, Belatti, Carroll, Evans, Hanohano, McKelvey, Nishimoto, Pine, Sonson, Souki and Yamashita.

H.C.R. No. 299, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A FULL-TIME FACULTY POSITION IN THE AREA OF ENVIRONMENTAL HEALTH IN THE DEPARTMENT OF PUBLIC HEALTH SCIENCES, WHOSE DUTIES WOULD INCLUDE RESEARCH ON HAWAII'S PROBLEM OF CHILDHOOD OBESITY," was jointly offered by Representatives Bertram, Awana, Cabanilla, Mizuno, Belatti, Chang, Finnegan, Nishimoto, Pine, Rhoads and Wakai.

H.C.R. No. 300, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT TO THE LEGISLATURE ON THE COSTS OF, AND THE SAFETY ISSUES RELATED TO TRAFFIC ROUNDABOUTS," was jointly offered by Representatives Bertram, Evans, Lee, Nakasone and Nishimoto.

H.C.R. No. 301, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO INSTITUTE THE ELECTION OF DISTRICT COUNCIL MEMBERS BY THE RESIDENT VOTERS OF THEIR RESPECTIVE COUNCIL DISTRICTS," was jointly offered by Representatives Bertram, Evans, Carroll, Marumoto and Waters.

H.C.R. No. 302, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ADOPT RULES TO REGULATE THE USE OF PUBLIC BEACHES," was jointly offered by Representatives Bertram, Carroll, Souki and Yamashita.

H.C.R. No. 303, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REPORT ANNUALLY TO THE LEGISLATURE ON THE PROGRESS, ACCOMPLISHMENTS, AND UPCOMING SCHEDULE OF BIKE PLAN HAWAII 2003," was jointly offered by Representatives Bertram, Evans, Lee, Carroll, Nakasone, Nishimoto, Souki and Yamashita.

H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CREATION AND WORK OF THE MAUI COUNTY HOSPITAL NEEDS TASK FORCE," was offered by Representative Bertram.

H.C.R. No. 305, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF HONOLULU COMMUNITY ACTION PROGRAM," was jointly offered by Representatives Hanohano, Awana and Mizuno.

H.C.R. No. 306, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A WAIVER OR RELAXATION OF VISA REQUIREMENTS FOR HUMANITARIAN REASONS," was jointly offered by Representatives Cabanilla, Manahan, Mizuno, Sonson, Brower, Ito, Karamatsu, Souki, Wakai and Waters.

H.C.R. No. 307, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE ISSUANCE TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES TO RESOLVE DISPUTES," was jointly offered by Representatives Cabanilla, Brower, Carroll, Evans, Magaoay, Mizuno and Waters.

H.C.R. No. 308, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was jointly offered by Representatives Cabanilla, Manahan, Mizuno, Sonson, Brower, Carroll, Ito, Karamatsu, Magaoay, Souki, Wakai and Waters.

H.C.R. No. 309, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING HAWAII COURTS TO ALLOW A SENTENCING OPTION FOR REPEAT DRUG OFFENDERS OR DRUG RELATED OFFENDERS TO ATTEND THE SECOND CHANCE CENTER PROGRAM AT THE SECURE DRUG TREATMENT FACILITY IN ALBUQUERQUE, NEW MEXICO," was offered by Representative Cabanilla.

H.C.R. No. 310, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEFINE AND DISCLOSE THE LAND BOUNDARIES OF CAMPBELL HIGH SCHOOL, ILIMA INTERMEDIATE SCHOOL, KAIMILOA ELEMENTARY SCHOOL, AND POHAKEA ELEMENTARY SCHOOL, INCLUDING COMMON AREAS SHARED BY THE SCHOOLS," was jointly offered by Representatives Cabanilla, Brower, Carroll, Ito, Magaoay and Waters.

H.C.R. No. 311, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE FEASIBILITY OF REDUCING OR ELIMINATING THE USE OF TRANS FAT IN FOOD PREPARATION AND FOOD SERVICE BY HAWAII'S RESTAURANT INDUSTRY," was offered by Representative Cabanilla.

H.C.R. No. 312, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DECLARE MAY 27, 2007 AS "HONORING OUR SOLDIERS DAY"," was jointly offered by Representatives Cabanilla, Brower, Carroll, Evans, Ito, Magaoay and Waters.

H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AUDITOR TO AUDIT THE EWA VILLAGES REVITALIZATION PROJECT AND THAT THE TERMS OF THE MEMORANDUM OF AGREEMENT TO RENOVATE AND MAINTAIN THE HISTORIC PROPERTIES BE FACILITATED," was jointly offered by Representatives Cabanilla, Ito and Waters.

H.C.R. No. 314, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF THUA THIEN-HUE OF THE SOCIALIST REPUBLIC OF VIETNAM," was jointly offered by Representatives Cabanilla, Mizuno, Carroll, Chang, Karamatsu, Magaoay, Souki and Wakai.

H.C.R. No. 315, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was jointly offered by Representatives Cabanilla, Carroll, Ito and Waters.

H.C.R. No. 316, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES (WASC) TO INCREASE HAWAII'S MEMBERSHIP AND VOTES ON WASC TO STRENGTHEN THE STATE'S INPUT ON THE ACCREDITATION AND APPROVAL OF SCHOOLS AND COLLEGES IN THE REGION," was jointly offered by Representatives Cabanilla, Carroll, Ito and Waters.

H.C.R. No. 317, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT A TRANSPORTATION PERFORMANCE PROGRAM," was jointly offered by Representatives Cabanilla, Evans, Sonson, Brower, Carroll, Ito, Karamatsu, Magaoay, Manahan, Mizuno, Souki and Waters.

H.C.R. No. 318, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT TO ADOPT A POLICY OF RESTRICTING PUBLIC HOUSING TENANCY TO NOT MORE THAN FIVE YEARS EXCEPT IN CERTAIN CIRCUMSTANCES," was jointly offered by Representatives Cabanilla, Brower, Ito and Sonson.

H.C.R. No. 319, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND UNIVERSITY OF HAWAII TO ADDRESS THE UNDERREPRESENTATION OF FACULTY AND ADMINISTRATORS OF FILIPINO ANCESTRY WITHIN THEIR RESPECTIVE JURISDICTIONS," was jointly offered by Representatives Manahan, Cabanilla, Meyer, Pine, Shimabukuro, Tokioka, Carroll, Magaoay and Sonson.

H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OWNER AND OPERATOR OF HILO'S NANILOA VOLCANOES RESORT TO PAY WORKERS RENOVATING THE RESORT THE PREVAILING WAGE REQUIRED BY CHAPTER 104, HAWAII REVISED STATUTES," was jointly offered by Representatives Caldwell, Sonson, Waters, Chong, Ito, Say and Takamine.

H.C.R. No. 321, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE MOLUCCA ALBIZIA TREE," was jointly offered by Representatives Caldwell, Carroll, Chang, Chong, Herkes, Lee, Waters, Ito, Say, Sonson and Souki.

H.C.R. No. 322, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF ADULT RESIDENTIAL CARE HOMES," was jointly offered by Representatives Caldwell, Chang, Chong, Green, Herkes, Ito, Say, Shimabukuro and Waters.

H.C.R. No. 323, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO REVIEW AND RECOMMEND A POLICY TO REDUCE THE USE OF PLASTIC GROCERY BAGS," was jointly offered by Representatives Caldwell, Lee, Carroll, Chang, Ito, Sonson, Souki, Waters and Yamane.

H.C.R. No. 324, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE HISTORICAL AND ARCHITECTURAL SIGNIFICANCE OF CENTRAL UNION CHURCH AND ITS CONTRIBUTIONS TO THE STATE," was jointly offered by Representatives Ching and Meyer.

H.C.R. No. 325, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO INCREASE THEIR MARKETING EFFORTS IN THE NICHE MARKET OF HERITAGE TOURISM," was jointly offered by Representatives Ching, Manahan, McKelvey, Awana, Meyer, and M. Oshiro.

H.C.R. No. 326, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A JOINT TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE STRUCTURE AND OPERATIONS OF THE HAWAII HEALTH SYSTEMS CORPORATION," was offered by Representative Mizuno.

H.C.R. No. 327, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR PACIFIC ISLAND STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A TASK FORCE TO IDENTIFY AND ADDRESS THE NEEDS OF PACIFIC ISLANDERS IN HAWAII," was offered by Representative Mizuno.

H.C.R. No. 328, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SEPARATE NANAKULI HIGH SCHOOL FROM NANAKULI INTERMEDIATE SCHOOL," was jointly offered by Representatives Awana, Finnegan, Manahan, Marumoto, Berg, Bertram, Brower, Ching, Evans, Har, Shimabukuro, Sonson, Takamine and Yamashita.

H.C.R. No. 329, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO OPEN AND RECONFIGURE THE EASTBOUND AND WESTBOUND SHOULDER LANES FROM MAKAKILO DRIVE TO THE KUNIA INTERCHANGE NEAR THE EASTBOUND ON-RAMP ON THE H-1 FREEWAY DURING THE MORNING AND AFTERNOON RUSH HOURS TO HELP ALLEVIATE TRAFFIC CONGESTION," was jointly offered by Representatives Awana, Hanohano, Har, Mizuno, Pine, Berg, Manahan, Meyer, Nishimoto, Tokioka and Wakai.

H.C.R. No. 330, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING KAMEHAMEHA SCHOOLS BISHOP ESTATE TO EXPLORE THE OPTION OF OPENING A LEEWARD CAMPUS ON A LOCATION ALONG THE WAIANAE COAST," was offered by Representative Awana.

H.C.R. No. 331, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO IDENTIFY AND FACILITATE THE RETURN OF ANY CEDED LANDS NOT BEING USED TO THE STATE OF HAWAII," was jointly offered by Representatives Awana, Carroll, Hanohano, Har, Mizuno, Morita, Tokioka, Berg and Manahan.

H.C.R. No. 332, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO CHARGE RESIDENT TUITION TO PACIFIC ISLAND STUDENTS," was jointly offered by Representatives Awana, Berg, Hanohano, Har, Manahan, Mizuno, Wakai, Marumoto, Nishimoto and Waters.

H.C.R. No. 333, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON HOUSING FOR ESSENTIAL WORKERS," was jointly offered by Representatives Manahan, Chang, Evans, Magaoay, Mizuno, Shimabukuro, Belatti, Brower, Lee, Meyer, Pine, Rhoads, Sagum, Sonson, Souki, Wakai, Waters and Yamashita.

H.C.R. No. 334, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP AND IMPLEMENT A TRADE FAIR CERTIFICATION PROGRAM FOR HAWAII BUSINESSES WISHING TO PARTICIPATE IN A TRADE FAIR OR MISSION TO OBTAIN CERTIFICATION PRIOR TO EMBARKING ON FOREIGN TRADE FAIRS OR MISSIONS REPRESENTING THE STATE OF HAWAII," was jointly offered by Representatives Manahan, Yamane, Brower, Evans, Har, Lee, M. Oshiro, Pine, Rhoads, Sagum, Shimabukuro, Sonson, Souki, Wakai, Waters and Yamashita.

H.C.R. No. 335, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO REEVALUATE THE CURRENT STATUS OF HAWAII'S SISTER RELATIONSHIPS," was jointly offered by Representatives Manahan, Evans, Magaoay, Mizuno, Yamane, Brower, Chang, Har, Lee, Pine, Sagum, Sonson, Souki, Wakai, Waters and Yamashita.

H.C.R. No. 336, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE HAWAII TOURISM AUTHORITY TO DEVELOP A VOLUNTARY REGISTRATION PROGRAM FOR MAINLAND HAWAIIAN ORGANIZATIONS TO MARKET HAWAII AS A VISITOR DESTINATION AND TO SHARE AND DISTRIBUTE EVENT INFORMATION, PRODUCT DEVELOPMENT IDEAS, AND WORKFORCE OPPORTUNITIES," was jointly offered by Representatives Manahan, Chang, Marumoto, Meyer, Mizuno, M. Oshiro, Shimabukuro, Yamane, Belatti, Brower, Ching, Evans, Har, Lee, Pine, Sagum, Sonson, Souki, Wakai, Ward and Yamashita.

H.C.R. No. 337, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO VICTIMS OF HUMAN TRAFFICKING PENDING REPATRIATION OR DETERMINATION OF RESIDENCY STATUS," was jointly offered by Representatives Manahan, Meyer, Shimabukuro, Belatti, Brower, Ching, Evans, Har, Lee, M. Oshiro, Pine, Rhoads, Sagum, Sonson, Souki, Wakai, Waters and Yamashita.

H.C.R. No. 338, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ENSURE SUFFICIENT FUNDING IS MADE AVAILABLE TO THE COUNTIES FOR THE PAYMENT OF RECYCLERS WHO CARRY OUT COUNTY GLASS RECOVERY PROGRAMS," was offered by Representative Carroll.

H.C.R. No. 339, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF ULALENA LOOP ROAD, AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT A REPORT ON THE ESTIMATED COST OF REPAVING ULALENA LOOP ROAD," was offered by Representative Carroll.

H.C.R. No. 340, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was offered by Representative Carroll.

H.C.R. No. 341, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE'S MANAGEMENT OF THE MOLOKAI IRRIGATION SYSTEM," was offered by Representative Carroll.

H.C.R. No. 342, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE'S OPERATION OF THE MOLOKAI IRRIGATION SYSTEM," was offered by Representative Carroll.

H.C.R. No. 343, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND THE COMMISSION ON WATER RESOURCES MANAGEMENT TO REPORT WHY EACH HAS NOT TAKEN PROACTIVE MEASURES TO ENSURE THE WATER RIGHTS OF EAST MAUI RESIDENTS AND TO ESTABLISH A SIMPLE, CLEAR, AND EFFICIENT PROCESS FOR INVESTIGATING VIOLATIONS OF WATER USE," was offered by Representative Carroll.

H.C.R. No. 344, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT PROJECT CUDDLE AND ASSESS THE FEASIBILITY OF ADVERTISING ITS HOTLINE," was offered by Representative Ching.

ANNOUNCEMENTS

Representative Rhoads for the Committee on Human Services and Housing and the Committee on Health, requested a waiver of the 48-hour advanced notice requirement to hear SB 1916, SD 2 tomorrow 8:31 a.m. in Conference Room 329.

Representative Rhoads: "It's an important bill. It's the Family Caregivers Task Force recommendations and it's a triple referral so time is of the essence," and the Chair "so ordered."

Representative Berg: "Thank you, Mr. Speaker. I just wanted to announce to my colleagues there's still an hour and a half left on the Third Floor balcony to learn a little bit about the different organizations that are helping to support our efforts here at the Capitol."

Representative Shimabukuro: "I just want to wish a happy birthday to one of our very stellar freshman, Della Au Belatti."

Representative Morita: "Thank you, Mr. Speaker. Mr. Speaker, as you may already know, today marks the one year anniversary of the Kaloko Dam breach. Although many of the scars are not as visible from a year ago, many in my communities still mourn the loss of Tim Noonan, Wayne Rotstein, Aurora Fehring and her husband Alan Dingwall, and their two year old son Rowan, Sunny McNees, who was eight months pregnant and her fiancé, Daniel Arroyo, who's wedding was planned for that weekend.

"On behalf of your Kauai delegation, when appropriate, we would like to ask for a moment of silence, to recognize the loss of these lives and also for the five fatalities that occurred from the two helicopter accidents that also occurred on the North Shore of Kauai last week.

"And in our silence that we pray for the Godspeed recovery of the survivors of the helicopter crashes, and for the comfort and strength to their families. Thank you."

At this time, the House of Representatives stood for a moment of silence in memory of the victims of the Kaloko dam breach, and recent helicopter accident victims on Kauai.

At this time, Representative B. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving resolutions and concurrent resolutions for introduction, seconded by Representative Meyer, and carried. (Representatives Herkes, Luke, Saiki, Souki and Thielen were excused.)

At 12:34 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 12:00 o'clock noon tomorrow, Thursday, March 15, 2007. (Representatives Herkes, Luke, Saiki, Souki and Thielen were excused.)

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 15, 2007.

THIRTY-SECOND DAY

Thursday, March 15, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Ryan I. Yamane, after which the Roll was called showing all members present with the exception of Representatives Herkes, M. Oshiro, Takamine and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Fourth Day was approved. (Representatives Herkes, M. Oshiro, Takamine and Thielen were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 292 and 293) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 292, dated March 9, 2007, informing that the letters sent transmitting the Department of Human Services' reports to the Legislature for Act 160, Section 8. (12), Section 156.8, SLH 2006, and for House Concurrent Resolution 8/Senate Concurrent Resolution 2, Senate Draft 1, incorrectly described the reports.

Gov. Msg. No. 293, dated March 9, 2007, transmitting the 2006 Annual Reports of the State of Hawaii Overseas Offices prepared by the Department of Business, Economic Development, & Tourism.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Takai introduced the interns participating in the 8th annual Arc in Hawaii Legislative Internship Program:

Jace Flores interning with Representative Awana;
Carol Edwards interning with Representative Berg;
Cheyenne Felix interning with Representative Carroll;
Beverly Costales interning with Representative Cabanilla;
Norma Robaino interning with Representative Ching;
Carl Proffitt interning with Representative Lee;
Peter Tengan interning with Representative Mizuno;
Jacqueline Sofear interning with Representative Wakai;
John Okihiro interning with Senator Baker;
Jani Wong interning with Senator Chun Oakland;
Robbilyn Chai interning with Representative Hemmings; and
Cheryl Derby interning with Representative Takai;

Representative Magaoay introduced the students of the We the People team of Kahuku High School: Ella Aiwohi, Jason Alghussein, Jerica Elu, Ariana Forgerson, Alise Hontanosas, Carlyn Hubner, Jeremy Keys, Ana Reidy, Alexandra Roberts, Nicholas Sirlin, Samantha Thee, Nicholas Trisolini, Zachary Williams, Tirzah Yadao, and their teacher, Ms. Kori Shlachter:

Representative Berg also acknowledged the Kahuku High School We the People team.

Representative McKelvey introduced former Representative Michael White, General Manager of the Kaanapali Beach Hotel.

Representative Caldwell introduced Ms. Leimamo Lind, Executive Director of Hotel and Lodging with the Kaanapali Beach Hotel.

Representative Manahan introduced students of Kalihi Waena Elementary School participating in the Day at the Capitol program, and their chaperones, Mr. Michael Kawamoto, Ms. Judy Chong Nakamura, Ms. Rowena Lat and Ms. Liane Jucutan.

Representative Mizuno introduced students of Kalihi Uka Elementary School participating in the Day at the Capitol program, and their chaperones, Mr. Keith Sakanashi, Ms. Darlene Nakoa, Ms. Lorna Tamayo and Mr. Dean Miyata.

Representative Carroll introduced her cousins, Ms. Susie Kaopuiki, Ms. Jessica Niihau, Ms. Alena Kaopuiki, and Baby Kealia Arzadon from Kailua.

Representative Waters introduced his friends, Mr. Clay and Mrs. Robin Springer of Waimanalo, parents of Ms. Jill Springer of the Kailua High School Robotics Team.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	**Referred to:**
88	Committee on Consumer Protection & Commerce
89	Committee on Consumer Protection & Commerce
90	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment
91	Committee on Public Safety & Military Affairs
92	Committee on Health, then to the Committee on Finance
93	Committee on Tourism & Culture

H.C.R. Nos.	**Referred to:**
112	Committee on Consumer Protection & Commerce
113	Committee on Consumer Protection & Commerce
114	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment
115	Committee on Public Safety & Military Affairs
116	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
117	Committee on Health, then to the Committee on Finance
118	Committee on Tourism & Culture
119	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

S.C.R. No.	Referred to:
31, SD1	Committee on Judiciary, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolution was re-referred by the Speaker:

H.R. No.	Re-referred to:
36	FLOOR PRESENTATION 3/16/07 (INADVERTENTLY REFERRED TO THE COMMITTEE ON HUMAN SERVICES & HOUSING)

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
1412, SD2	Committee on Judiciary, then to the Committee on Finance
1926, SD1	Committee on Labor & Public Employment, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 278) was announced by the Clerk and the following action taken:

H.R. No. 278, entitled: "HOUSE RESOLUTION RECOGNIZING THE CONTRIBUTION OF NA KAPA PULE O' 'EWA TO THE LEEWARD COMMUNITY AND IT'S IMPACT ON THE STATE OF HAWAII," was jointly offered by Representatives Pine, Cabanilla, Ching, Meyer, Magaoay and Mizuno.

Representative Pine moved that H.R. No. 278 be adopted, seconded by Representative Cabanilla.

Representative Pine introduced and recognized the following members of Na Kapa Pule O' 'Ewa who were seated on the floor of the House:

Pastor Dave Wilson, Hope Chapel West Side;
Father Scott Bush, Our Lady of Perpetual Help;
Pastor Greg Burgess, Reflame Ministries; and
Pastor Jerry Kraesig, Anuenue Christian Church.

Representative Cabanilla then thanked Na Kapa Pule O' 'Ewa for their contributions to the community.

The motion was put to vote by the Chair and carried, and H.R. No. 278 was adopted with Representatives Herkes, Nakasone, M. Oshiro, Takamine and Thielen being excused.

The following resolution (H.R. No. 279) was announced by the Clerk and the following action taken:

H.R. No. 279, entitled: "HOUSE RESOLUTION CONGRATULATING THE KAILUA HIGH SCHOOL SURFRIDER ROBOTICS TEAM FOR ITS PARTICIPATION IN THE 2006 FIFTH ANNUAL INTERNATIONAL STUDENT REMOTELY OPERATED VEHICLE (ROV) COMPETITION AND FOR WINNING THE HAWAII STATE CHAMPIONSHIP IN THE 2006 HAWAII UNDERWATER ROBOTIC COMPETITION," was jointly offered by Representatives Chong, Ito and Waters.

Representative Chong moved that H.R. No. 279 be adopted, seconded by Representative Waters.

Representative Chong introduced and recognized the following members of the Kailua High School Surfrider Robotics Team who were seated on the floor of the House:

Mr. Dalfred Edward Kaipo, Jr., Captain;
Mr. Trevor Johnson, Co-Captain;
Mr. Jacob Pantastico, Co-Captain;
Mr. Nathan Franco;
Mr. Nicholas Poleshaj;
Mr. Kahue Kaopuiki;
Mr. Noah Park;
Ms. Shalyn Romano;
Mr. Sen-Katsu Takata;
Mr. Alexander Vallejo-Sanderson;
Mr. Godwin Pirga;
Ms. Jill Springer; and
Mr. David Izumi, teacher.

Representative Chong also recognized team members, Mr. Keoni Hall and Mr. Jon Trueman, who were not present; and recognized family and friends of the honorees who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 279 was adopted with Representatives Herkes, Nakasone, M. Oshiro, Takamine and Thielen being excused.

At 12:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:46 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1222) recommending that S.B. No. 600, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 600, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1223) recommending that S.B. No. 58, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 58, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1224) recommending that S.B. No. 1253, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1253, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Green rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to recuse myself from voting on S.B. 1253, SCR 1224. I'm an ER doctor that works in HHSC Hospital and they contract with me."

The Chair ruled, stating:

"At this point there is no conflict because you are a part of a class of doctors serving the Corporation."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I similarly ask for a ruling on a potential conflict at my law firm. I do represent HHSC and I advise them on procurement matters," and the Chair ruled, "no conflict."

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 1224, with strong reservations."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support with reservations. Although I believe that products and services are needed to adequately provide the best care to patients, I question the logic that states bypassing procurement procedures will necessarily accomplish this task. Those under the Hawaii Health System Corporation should continue to be held accountable as do other State agencies. It may take extra planning and forecasting to obtain the desired results, but if other agencies need to, so should they.

"There is a reason for procurement. Procurement keeps the market competitive. In addition, non-bid contracts are frowned upon, causes suspicion, and creates an air of deception by the general public. Mr. Speaker, passing such legislation, I believe, may cast a dark cloud on this legislative body. Thank you, Mr. Speaker."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION CONTRACTS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, Takamine and Thielen being excused.

ANNOUNCEMENTS

Representative Belatti: "Mr. Speaker, I'd like to just recognize the Representative from Aina Haina and wish her a happy birthday."

Representative Berg: "Thank you, Mr. Speaker, and thank you, Representative from Makiki. We were commenting on how many of us are Pisces in this Chamber. I have to share that after two years and 30-something days of being here, there's no other place I'd rather be on my birthday. Thank you."

Representative Carroll: "Thank you, Mr. Speaker. Your Legislative Hawaiian Caucus Committee will be having a meeting today at 4:00 p.m. in Room 423. Thank you."

Speaker Say: "The Chair has just two announcements. If you look on the Order of the Day, pages A to Q, those are your Public Hearing Notices of your respective Committees, for today and tomorrow.

"Also, tomorrow, Members of the House, we will be having once more, two floor presentations. Let's be on time at 12:00 so that we can get through with the business and get back to the hearings that the Committees are having."

ADJOURNMENT

At 12:50 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 16, 2007. (Representatives Herkes, Nishimoto, Takamine and Thielen were excused.)

THIRTY-THIRD DAY

Friday, March 16, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Bob Nakata of Kahalu'u United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Berg, Chong, Magaoay, Souki, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Second Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 431 through 434) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 431, transmitting S.C.R. No. 38, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ENACTMENT OF H.R. 901/S. 4070, "FILIPINO FAMILY REUNIFICATION", OR SIMILAR LEGISLATION THAT GRANTS THE PRIORITY ISSUANCE OF VISAS TO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," which was adopted by the Senate on March 15, 2007.

Sen. Com. No. 432, transmitting S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ENACTMENT OF H.R. 4574/S. 57, "FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007" OR SIMILAR LEGISLATION THAT PROVIDES FEDERAL VETERANS BENEFITS AND SERVICES TO THE WORLD WAR II FILIPINO AMERICAN VETERANS AND THE FILIPINO VETERANS," which was adopted by the Senate on March 15, 2007.

Sen. Com. No. 433, transmitting S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT S.57 AND H.R.760, ENTITLED THE FILIPINO VETERANS EQUITY ACT OF 2007," which was adopted by the Senate on March 15, 2007.

Sen. Com. No. 434, transmitting H.B. No. 21, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," which passed Third Reading in the Senate on March 15, 2007.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 53) was received by the Clerk and was placed on file:

Dept. Com. No. 53, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting their 2006 Annual Report.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Manahan introduced Bacarra Mayor Philip Velasco of Ilocos Norte, Republic of the Philippines. He was accompanied by former Representative Gene Albano and Mr. Froebel Garcia.

Representative Karamatsu welcomed the caregivers in the gallery who were here for Caregiver's Day at the Capitol.

Representative Sonson introduced members of various caregiver groups:

The Adult Foster Home Association, President Ruthie Agbayani; and Board of Directors, Lemmy Maluyo, Margie Agliam, Edna Ballesteros and Carol Eala;

United Group of Home Operators, President Esther Pacual, Vice President Acela Garcia, and Marylin Villar;

Primary Care Providers of Hawaii, President Maria Etrata, Nama Baptista, Marcie Castro and Betty Balmonte;

Adult Residential Care Association, President Myriam Tabaniag, Nenita Jose, Mely De Lara and Lilia Fajotina; and

Case Management Council of Hawaii, Donna Schmidt and members.

Representative Cabanilla introduced case managers, Ms. Elsa Talavera and Mr. Eugene Malalis, as well as the staff of the Palolo Chinese Care Home.

Representative Marumoto introduced 5th grade students of Wilson Elementary School; their teacher, Ms. Roxane Hirahara; and chaperones, Mr. Harada, Mr. and Mrs. Nguyen, and Mr. Hull.

Representative Ching introduced her legislative staff, Mr. Raymond Lee, Ms. Ashley Ehrenreich, Ms. Katie Churchey, Ms. Colette Devou, Ms. Bevelyn Ho and Ms. Joycelyn Ho.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
1229, SD2	Committee on Judiciary
1840, SD1, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1929, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Finance
1934, SD1	Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 36) was announced by the Clerk and the following action taken:

H.R. No. 36, entitled: "HOUSE RESOLUTION RECOGNIZING MARCH 2007 AS NATIONAL PROFESSIONAL SOCIAL WORK MONTH," was jointly offered by Representatives Shimabukuro and Rhoads.

Representative Shimabukuro moved that H.R. No. 36 be adopted, seconded by Representative Rhoads.

Representative Shimabukuro recognized the Hawaii Association of Social Workers and the many contributions of its members.

Representative Rhoads introduced the following honorees seated on the floor of the House representing the National Association of Social Workers, and the academic schools of social work:

Ms. Jeanette Matsumoto, President of the National Association of Social Workers;

Ms. Debbie Shimizu; Executive Director of the National Association of Social Workers;

Dr. Jon Matsuoka, Dean of School of Social Work, University of Hawaii;

Dr. Sharlene Furuto, Chair of the Department of Social Work, Brigham Young University, Hawaii; and

Dr. Mary Sheridan, Professor, Hawaii Pacific University.

Representative Rhoads then introduced the social work students and National Association of Social Workers members seated in the gallery, and also recognized Representative Yamane as the only social worker in the House of Representatives.

Representative Yamane further recognized the contributions of social workers.

The motion was put to vote by the Chair and carried, and H.R. No. 36 was adopted with Representatives Berg, Magaoay, Nakasone, Souki, Takamine and Thielen being excused.

The following resolution (H.R. No. 280) was announced by the Clerk and the following action taken:

H.R. No. 280, entitled: "HOUSE RESOLUTION RECOGNIZING PAUL MASUOKA OF MASU'S PLATE LUNCH FOR HIS CONTRIBUTIONS TO HAWAII," was jointly offered by Representatives Ching, Meyer, Pine and Sonson.

Representative Ching moved that H.R. No. 280 be adopted, seconded by Representative Mizuno.

Representative Ching introduced Mr. Paul Masuoka who was seated on the floor of the House and recognized his contributions to the community.

Representative Ching then introduced the following family and friends seated in the gallery:

Brother, Mr. Edwin Masuoka; Nephews Mr. Aaron Masuoka and Mr. Brandon Masuoka; Niece, Ms. Jody Chew, and Ms. Linda Fong, Retired Volunteer Services Coordinator of Maluhia Long Term Care of Liliha.

Representative Ching also introduced her husband, Dr. Stuart Lerner, and daughter, Ms. Anna Lerner who were seated in the gallery.

Representative Mizuno further recognized Mr. Paul Masuoka for his contributions to the residents and program participants of the Maluhia Long Term Care facility.

The motion was put to vote by the Chair and carried, and H.R. No. 280 was adopted with Representatives Berg, Magaoay, Nakasone, Souki, Takamine and Thielen being excused.

At 12:34 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

At this time, the Chair announced:

"Members, on page 2 through 15, most of these measures are up for Second Reading. I would love to see us have a limited debate on Second Reading so that we may enjoy a bountiful St. Patrick's Day lunch."

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1225) recommending that S.B. No. 69, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 69, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1226) recommending that S.B. No. 53, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1227) recommending that S.B. No. 923, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1228) recommending that S.B. No. 1007, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1007, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1229) recommending that S.B. No. 988, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 988, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY," passed

Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1230) recommending that S.B. No. 990, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 990, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1231) recommending that S.B. No. 1026, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1026, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1232) recommending that S.B. No. 1176, SD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1176, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Education with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1233) recommending that S.B. No. 1161, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1161, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1234) recommending that S.B. No. 1163, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1163, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN'S TRANSITION TO ADULTHOOD," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1235) recommending that S.B. No. 248, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 248, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1236) recommending that S.B. No. 249, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 249, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1237) recommending that S.B. No. 1101, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1101, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1238) recommending that S.B. No. 1203, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1239) recommending that S.B. No. 1210, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1210, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1240) recommending that S.B. No. 810, SD 2, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 810, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources

& Hawaiian Affairs with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Green and Souki, for the Committee on Health and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1241) recommending that S.B. No. 1804, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1804, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in support with reservations on SB1804. This bill would impose new taxes – surcharges levied on citations for traffic violations, drug use, or various violent crimes. While the underlying purpose of this bill is admirable – improving trauma care – we can pay for this trauma care out of existing general fund revenues. We should not gouge our residents by adding a slew of new taxes when we have the highest per capita state taxes in the nation. In addition, the nexus for these fees with the service that would be supported by them is not direct"

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1804, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1242) recommending that S.B. No. 68, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 68, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1243) recommending that S.B. No. 17, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 17, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1244) recommending that S.B. No. 709, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 709, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1245) recommending that S.B. No. 1673, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1673, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1246) recommending that S.B. No. 1678, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1678, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL REIMBURSEMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1247) recommending that S.B. No. 1928, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1928, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1248) recommending that S.B. No. 642, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 642, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1249) recommending that S.B. No. 1672, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1672, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1250) recommending that S.B. No. 957, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 957, HD 1, pass Second Reading and be referred to the Committee on Economic Development and Business Concerns, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 957, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Marumoto, Meyer and Ward voting no, and with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1251) recommending that S.B. No. 1060, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1060, SD 1, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1060, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Meyer and Ward voting no, and with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1252) recommending that S.B. No. 1421, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1421, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 460, HAWAII REVISED STATUTES, OSTEOPATHY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1253) recommending that S.B. No. 1948, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1948, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1254) recommending that S.B. No. 1702, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1702, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1255) recommending that S.B. No. 1712, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1712, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Yamashita and Chang, for the Committee on Economic Development & Business Concerns and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1256) recommending that S.B. No. 1365, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1365, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1257) recommending that S.B. No. 1840, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1840, SD 1, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary,, seconded by Representative B. Oshiro.

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, serious reservations. Thank you."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1840, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1258) recommending that S.B. No. 1034, SD 2, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1034, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Transportation with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1259) recommending that S.B. No. 1066, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1066, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Transportation with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1260) recommending that S.B. No. 1115, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1115, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1261) recommending that S.B. No. 12, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 12, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1262) recommending that S.B. No. 1636, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1636, SD 2, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support with reservations. This bill states that the on-site screening tests shall meet FDA requirements. Mr. Speaker, there are no FDA approved on-site screening tests.

"The results of the existing non-FDA approved tests are not accurate. Why would an employer expose themselves to litigation knowing that they are handling an inaccurate test? Only in cases where the tests prove positive, an additional test will be provided through a licensed laboratory. What about negative test results that are inaccurate and are actually positive?

"Existing legislation adequately addresses substance abuse drug testing. Thank you, Mr. Speaker."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1636, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1263) recommending that S.B. No. 1922, SD 2, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1922, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism

& Culture with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1264) recommending that S.B. No. 1484, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1484, entitled: "A BILL FOR AN ACT RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1265) recommending that S.B. No. 959, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 959, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1266) recommending that S.B. No. 1491, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1491, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1267) recommending that S.B. No. 1184, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1184, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1268) recommending that S.B. No. 1779, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1779, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with some reservations and very brief comments. This bill asks us to give legal guardianship rights and legal parental rights, side by side and I'm just not sure that they can mix. I see this as a bit of 'a calm before the storm' because once you have both of those, you in a very good way still have the biological parents linked. But at the same time you've got the guardian or adoptive parents twisting in the wind, and I'm not sure you want to have too much confusion. And I'm sure that why it's going on to Judiciary, but I think it's a difficult side-by-side status that we're putting this bill in."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1269) recommending that S.B. No. 1925, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1925, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading and was referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1270) recommending that S.B. No. 1448, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1448, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1270, with reservations. I was not on the Committee that heard this bill, but we were talking about salaries for those that are at the University of Hawaii. And I believe the concern in that hearing was to also see it applying in this instance. And that is where now you're allowing the Authority to set a salary and it's not tied to anything. So what happened was Evan Dobelle and the amount of money that was given in that instance really has stirred the community. So I have concerns that we may be opening up the door and allowing the same thing on this, with this Authority. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1448, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1271) recommending that S.B. No. 1400, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1400, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1272) recommending that S.B. No. 1962, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative M. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1962, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations on this measure. Thank you. I just wanted to point out to the next Committee, CPC, that there was a little bit of, some confusion on this bill. It was brought about by the Tax Foundation of Hawaii. So if they take a look at the testimony from the Tax Foundation of Hawaii and maybe possibly even oral comments at the hearing. He pointed out, or they pointed out, that the tax credit should also include those units that are being rented.

"I think that was the intent, although the bill now says that the tax credit can be claimed by the renters. I think the discussion was a bit confusing and I think that a tax credit like this for automatic fire sprinkler should be given to the owners regardless of whether they're owner occupants or renting the unit."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1962, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1273) recommending that S.B. No. 96, SD 3, pass Second Reading and be referred to the Committee on Judiciary.

Representative M. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 96, SD 3, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On this measure with reservations and I just wanted to briefly mention that I think as we move this measure along, one of the things that we might want to take a look at if we're going to do drug testing of employees of the Department of Education, is possibly enforcing it randomly. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Bertram rose to speak in opposition to the measure, stating:

"I'm rising in opposition and would like a no vote. I find it absurd that they are taking it out on the teachers in reaction to a newspaper article. During the hearing they talked about a problem that they were trying to address. There was no evidence. There was nothing. And yet they're going to be punishing a whole class of people.

"Teachers are under a lot of stress already. And the testing they're doing is for only illegal drugs. And as they pointed out during testimony, the only drug that will actually be found most likely is marijuana. And so again, they are singling out illegal drugs and there is nothing. In kids right now, marijuana use has gone down. Prescription drug use, abuse, has gone up. So this is the wrong message to be sending right now and I vote against it.

Representative B. Oshiro rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"With reservations. I think we ought to put up or shut up. If we're going to drug testing, why not start with the Legislature?"

Representative Wakai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Cabanilla rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 96, SD 3, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram and Cabanilla voting no, and with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1274) recommending that S.B. No. 1932, SD 2, pass Second Reading and be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1932, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Human Services & Housing with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1275) recommending that S.B. No. 1931, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1931, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a

report (Stand. Com. Rep. No. 1276) recommending that S.B. No. 1933, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1277) recommending that S.B. No. 696, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 696, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1278) recommending that S.B. No. 885, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 885, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1279) recommending that S.B. No. 1916, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1916, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Berg, Magaoay, Souki, Takamine and Thielen being excused.

ANNOUNCEMENTS

Representative Shimabukuro: "Thank you, Mr. Speaker. I wanted to invite my colleagues to a luncheon for the National Social Work Month honorees. It will be in Room 423 and it will be a St. Patrick's Day lunch. Thank you. Please come."

Representative Ching: "Thank you, Mr. Speaker. We'd also like to invite you, on behalf of myself and Senator Chun-Oakland, for some refreshments in Room 312 for Paul Masuoka. And I hope you all got a copy of his recipe. Thank you."

Speaker Say: "Members, if you look at pages A through F on your Order of the Day, those are your public hearing notices for today and the upcoming days."

Representative Ching: "Well, in the interest of being in the Heritage Caucus, I note that none of my other colleagues who may have a drop of Irish blood are speaking. So if I may with your permission, I would like to wish everyone a Happy St. Paddy's Day.

"In Ireland, when I was there, they tell me that the proper way in Ireland to say Happy St. Patrick's Day apparently, is 'May your gee never run dry.' And the appropriate response is, 'Indeed.'

"And it translates roughly to what we have in Hawaii, an *awai* system. The river on your land, may the water always flow. May it always flow. So may your gee never run dry. Happy St. Patrick's Day."

ADJOURNMENT

At 1:01 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 19, 2007. (Representatives Berg, Magaoay, Souki, Takamine and Thielen were excused.)

THIRTY-FOURTH DAY

Monday, March 19, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered in *oli* and song by Kupuna Abbie Nery and members of Ka Lei Papahi o Kakuhihewa, after which the Roll was called showing all members present with the exception of Representatives Takai, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Third Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 294) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 294, dated March 14, 2007, transmitting the report as required by Act 178, SLH 2005, the General Appropriations Act of 2005.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 435 and 436) were received and announced by the Clerk:

Sen. Com. No. 435, transmitting S.C.R. No. 40, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROVIDE FUNDING FOR THE CONSTRUCTION OF A NEW STATE EMERGENCY OPERATING CENTER," which was adopted by the Senate on March 16, 2007.

Sen. Com. No. 436, transmitting S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION CONDEMNING THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES' FEE INCREASE," which was adopted by the Senate on March 16, 2007.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 54) was received by the Clerk and was placed on file:

Dept. Com. No. 54, dated March 8, 2007, from Chiyome Leinaala Fukino, M.D., Director, Department of Health, transmitting their annual Indicators of Environmental Quality report.

At 12:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:18 o'clock p.m.

At this time, the Chair announced:

"Members, we will be taking the floor presentations after the Reports of the Standing Committees."

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
94	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
95	Committee on Energy & Environmental Protection
96	Committee on Education
97	Committee on Education
98	Committee on Education, then to the Committee on Finance
99	Committee on Education, then to the Committee on Finance
100	Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
101	Committee on Energy & Environmental Protection
102	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
103	Jointly to the Committee on International Affairs and the Committee on Health
104	Committee on Human Services & Housing, then to the Committee on Finance
105	Committee on International Affairs, then to the Committee on Health
106	Committee on Legislative Management, then to the Committee on Finance
107	Committee on Human Services & Housing
108	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
109	Committee on Higher Education
110	Committee on Transportation
111	Committee on Transportation
112	Committee on Transportation
113	Committee on Human Services & Housing
114	Committee on Health
115	Committee on Finance
116	Jointly Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
117	Jointly to the Committee on Tourism & Culture and the Committee on Higher Education
118	Committee on Tourism & Culture

119 Committee on Finance

120 Committee on Transportation, then to the Committee on Legislative Management, then to the Committee on Finance

121 Committee on Transportation, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

122 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

123 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

124 Committee on Judiciary

125 Committee on Human Services & Housing, then to the Committee on Finance

126 Committee on Higher Education, then to the Committee on Energy & Environmental Protection

127 Committee on Transportation

128 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture

129 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

130 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

131 Committee on Higher Education, then to the Committee on Finance

132 Committee on Higher Education, then to the Committee on Finance

133 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

134 Committee on Education, then to the Committee on Finance

135 Committee on Public Safety & Military Affairs

136 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

137 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

138 Committee on Judiciary

139 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

140 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

141 Committee on Human Services & Housing, then to the Committee on Legislative Management

142 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

143 Committee on Higher Education, then jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

144 Committee on Judiciary

145 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Legislative Management

146 Committee on Human Services & Housing, then to the Committee on Legislative Management

147 Committee on Human Services & Housing, then to the Committee on Finance

148 Committee on Public Safety & Military Affairs

149 Committee on International Affairs, then to the Committee on Finance

150 Committee on Public Safety & Military Affairs

151 Committee on Human Services & Housing, then to the Committee on Finance

152 Committee on Labor & Public Employment, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

153 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

154 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

155 Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs

156 Committee on Energy & Environmental Protection

157 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

158 Committee on Transportation, then to the Committee on Energy & Environmental Protection

159 Committee on Transportation, then to the Committee on Energy & Environmental Protection

160 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

161 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

162 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

163 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

164 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

165 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

166 Committee on Energy & Environmental Protection

167 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

168 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

169 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

170 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

171 Committee on Public Safety & Military Affairs

172 Committee on Finance

173 Committee on International Affairs, then to the Committee on Higher Education

174 Committee on Education, then to the Committee on Legislative Management

175 Committee on Human Services & Housing

176 Jointly to the Committee on Legislative Management and the Committee on Judiciary, then to the Committee on Finance

177 Committee on Human Services & Housing, then to the Committee on Finance

178 Committee on Judiciary, then to the Committee on Legislative Management

179 Committee on Agriculture, then to the Committee on Legislative Management

180 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

181 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

182 Committee on Transportation, then to the Committee on Judiciary

183 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

184 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

185 Committee on International Affairs, then to the Committee on Public Safety & Military Affairs

186 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Energy & Environmental Protection

187 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

188 Committee on Agriculture

189 Committee on Education, then to the Committee on Finance

190 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

191 Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance

192 Committee on Education, then to the Committee on Finance

193 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

194 Committee on Education, then to the Committee on Finance

195 Committee on Tourism & Culture

196 Committee on Higher Education, then to the Committee on Finance

197 Committee on Energy & Environmental Protection, then to the Committee on Finance

198 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

199 Committee on Transportation

200 Committee on Labor & Public Employment, then to the Committee on Legislative Management

201 Committee on Labor & Public Employment, then to the Committee on Legislative Management, then to the Committee on Finance

202 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

203 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection

204 Committee on Transportation, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

205 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

206 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

207 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

208 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Legislative Management

209 Committee on Health, then to the Committee on Public Safety & Military Affairs

210 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

211 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

212 Committee on Energy & Environmental Protection, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

213 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

214 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

215 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

216 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Economic Development & Business Concerns

217 Committee on Transportation, then to the Committee on Finance

218 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

219 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

220 Committee on Agriculture

221 Committee on Energy & Environmental Protection

222 Committee on Health, then to the Committee on Finance

223 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

224 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

225 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

226 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Finance

227 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

228 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

229 Committee on International Affairs, then to the Committee on Tourism & Culture

230 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

231 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns

232 Committee on International Affairs, then to the Committee on Health

233 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

234 Committee on Health

235 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

236 Committee on Education

237 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

238 Committee on Labor & Public Employment, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

239 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

240 Committee on Transportation

241 Committee on Judiciary

242 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

243 Committee on Transportation

244 Committee on Health

245 Committee on International Affairs, then to the Committee on Human Services & Housing

246 Committee on International Affairs, then to the Committee on Judiciary

247 Committee on International Affairs, then to the Committee on Human Services & Housing

248 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture

249 Committee on International Affairs, then to the Committee on Tourism & Culture

250 Committee on International Affairs, then jointly to the Committee on Higher Education and the Committee on Education

251 Committee on International Affairs, then jointly to the Committee on Higher Education and the Committee on Education

252 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

253 Jointly to the Committee on Education and the Committee on Higher Education

254 Committee on Labor & Public Employment

255 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management

256 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education

257 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

258 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

259 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

260 Committee on Energy & Environmental Protection, then to the Committee on Legislative Management

261 Committee on Tourism & Culture

262 Committee on Tourism & Culture

263 Committee on Health, then to the Committee on Legislative Management

264 Committee on Human Services & Housing, then to the Committee on Higher Education

265 Committee on Education, then to the Committee on Finance

266 Committee on Transportation, then to the Committee on Finance

267 Jointly to the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

268 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment

269 Committee on Economic Development & Business Concerns

270 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns

271 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

272 Committee on Energy & Environmental Protection, then to the Committee on Finance

273 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

274 Committee on Transportation, then to the Committee on Economic Development & Business Concerns

275 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

276 Committee on Human Services & Housing

277 Committee on Legislative Management

H.C.R. Nos. **Referred to:**

120 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

121 Committee on Energy & Environmental Protection

122 Committee on Education

123 Committee on Education

124 Committee on Education, then to the Committee on Finance

125 Committee on Education, then to the Committee on Finance

126 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

127 Committee on Energy & Environmental Protection

128 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

129 Jointly to the Committee on International Affairs and the Committee on Health

130 Committee on Human Services & Housing, then to the Committee on Finance

131 Committee on International Affairs, then to the Committee on Health

132 Committee on Legislative Management, then to the Committee on Finance

133 Committee on Human Services & Housing, then to the Committee on Judiciary

134 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

135 Committee on Higher Education

136 Committee on Education, then to the Committee on Legislative Management

137 Committee on Transportation

138 Committee on Transportation

139 Committee on Transportation

140 Committee on Human Services & Housing

141 Committee on Health

142 Committee on Transportation, then to the Committee on Judiciary

143 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

144 Committee on Higher Education

145 Committee on Labor & Public Employment, then to the Committee on Legislative Management

146 Committee on Finance

147 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

148 Jointly to the Committee on Tourism & Culture and the Committee on Higher Education

149 Committee on Human Services & Housing, then to the Committee on Finance

150 Committee on Finance

151 Committee on Transportation, then to the Committee on Legislative Management, then to the Committee on Finance

152 Committee on Transportation, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

153 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

154 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

155 Committee on Energy & Environmental Protection, then to the Committee on Finance

156 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

157 Committee on Judiciary

158 Committee on Human Services & Housing, then to the Committee on Finance

159 Committee on Higher Education, then to the Committee on Energy & Environmental Protection

160 Committee on Transportation

161 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture

162 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

163 Committee on Transportation

164 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

165 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

166 Committee on Higher Education, then to the Committee on Finance

167 Committee on Higher Education, then to the Committee on Finance

168 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

169 Committee on Agriculture

170 Committee on Agriculture

171 Committee on Education, then to the Committee on Finance

172 Committee on Public Safety & Military Affairs

173 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

174 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

175 Committee on Tourism & Culture, then to the Committee on Higher Education

176 Committee on Judiciary

177 Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance

178 Committee on Labor & Public Employment, then to the Committee on Legislative Management

179 Jointly to the Committee on Labor & Public Employment and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

180 Committee on Public Safety & Military Affairs

181 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

182 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

183 Committee on Human Services & Housing, then to the Committee on Legislative Management

184 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

185 Jointly to the Committee on Higher Education and the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

186 Committee on Judiciary

187 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Legislative Management

188 Committee on Human Services & Housing, then to the Committee on Legislative Management

189 Committee on Human Services & Housing, then to the Committee on Finance

190 Committee on Public Safety & Military Affairs

191 Committee on International Affairs, then to the Committee on Finance

192 Committee on Public Safety & Military Affairs

193 Committee on Human Services & Housing, then to the Committee on Finance

194 Committee on Labor & Public Employment, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

195 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

196 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

197 Committee on Education, then to the Committee on Finance

198 Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs

199 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

200 Committee on Transportation, then to the Committee on Energy & Environmental Protection

201 Committee on Transportation, then to the Committee on Energy & Environmental Protection

202 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

203 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

204 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

205 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

206 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

207 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

208 Committee on Energy & Environmental Protection

209 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

210 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

211 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

212 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

213 Committee on Public Safety & Military Affairs

214 Committee on Finance

215 Committee on International Affairs, then to the Committee on Higher Education

216 Committee on Education, then to the Committee on Legislative Management

217 Committee on Human Services & Housing

218 Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance

219 Committee on Human Services & Housing, then to the Committee on Finance

220 Committee on Judiciary, then to the Committee on Legislative Management

221 Committee on Agriculture, then to the Committee on Legislative Management

222 Committee on Labor & Public Employment, then to the Committee on Legislative Management

223 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

224 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

225 Committee on Transportation, then to the Committee on Judiciary

226 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

227 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

228 Committee on International Affairs, then to the Committee on Public Safety & Military Affairs

229 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Energy & Environmental Protection

230 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

231 Committee on Agriculture

232 Committee on Education, then to the Committee on Finance

233 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

234 Jointly to the Committee on Judiciary and the Committee on Legislative Management

235 Committee on Health, then to the Committee on Legislative Management

236 Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

237 Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance

238 Committee on Education, then to the Committee on Finance

239 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

240 Committee on Transportation, then to the Committee on Finance

241 Committee on Transportation, then to the Committee on Finance

242 Committee on Transportation, then to the Committee on Finance

243 Committee on Education, then to the Committee on Finance

244 Committee on Tourism & Culture

245 Committee on Higher Education, then to the Committee on Finance

246 Committee on Energy & Environmental Protection, then to the Committee on Finance

247 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

248 Committee on Education, then to the Committee on Finance

249 Committee on Transportation

250 Committee on Labor & Public Employment, then to the Committee on Legislative Management

251 Committee on Labor & Public Employment, then to the Committee on Legislative Management, then to the Committee on Finance

252 Committee on Labor & Public Employment, then to the Committee on Finance

253 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection

254 Committee on Transportation, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

255 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

256 Jointly to the Committee on Human Services & Housing and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

257 Committee on Health, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

258 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

259 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

260 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

261 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Legislative Management

262 Committee on Health, then to the Committee on Public Safety & Military Affairs

263 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

264 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

265 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

266 Committee on Agriculture

267 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

268 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

269 Committee on Energy & Environmental Protection, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

270 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

271 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

272 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

273 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

274 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Economic Development & Business Concerns

275 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

276 Committee on Transportation, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce

277 Committee on Transportation, then to the Committee on Finance

278 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

279 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

280 Committee on Energy & Environmental Protection

281 Committee on Health, then to the Committee on Finance

282 Committee on Health, then to the Committee on Finance

283 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

284 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

285 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Finance

286 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

287 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

288 Committee on International Affairs, then to the Committee on Tourism & Culture

289 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

290 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns

291 Committee on International Affairs, then to the Committee on Health

292 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

293 Committee on Health

294 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

295 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

296 Committee on Education

297 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

298 Committee on Labor & Public Employment, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

299 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

300 Committee on Transportation

301 Committee on Judiciary

302 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

303 Committee on Transportation

304 Committee on Health

305 Committee on Human Services & Housing, then to the Committee on Legislative Management

306 Committee on International Affairs, then to the Committee on Human Services & Housing

307 Committee on International Affairs, then to the Committee on Judiciary

308 Committee on International Affairs, then to the Committee on Human Services & Housing

309 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

310 Committee on Education

311 Committee on Health, then to the Committee on Economic Development & Business Concerns

312 Committee on Public Safety & Military Affairs

313 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture

314 Committee on International Affairs, then to the Committee on Tourism & Culture

315 Committee on International Affairs, then jointly to the Committee on Higher Education and the Committee on Education

316 Committee on International Affairs, then jointly to the Committee on Higher Education and the Committee on Education

317 Committee on Transportation, then to the Committee on Finance

318 Committee on Human Services & Housing

319 Jointly to the Committee on Education and the Committee on Higher Education

320 Committee on Labor & Public Employment

321 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education

322 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

323 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

324 Committee on Tourism & Culture

325 Committee on Tourism & Culture

326 Committee on Health, then to the Committee on Legislative Management

327 Committee on International Affairs, then to the Committee on Higher Education

328 Committee on Education, then to the Committee on Finance

329 Committee on Transportation, then to the Committee on Finance

330 Jointly to the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

331 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

332 Committee on Higher Education, then to the Committee on Finance

333 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment

334 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns

335 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns

336 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

337 Committee on Human Services & Housing, then to the Committee on Finance

338 Committee on Energy & Environmental Protection, then to the Committee on Finance

339 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

340 Committee on Transportation, then to the Committee on Economic Development & Business Concerns

341 Committee on Agriculture, then to the Committee on Legislative Management

342 Committee on Agriculture, then to the Committee on Legislative Management

343 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

344 Committee on Human Services & Housing

S.C.R. Nos.	Referred to:
38	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
39	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
47	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1280) recommending that S.B. No. 1008, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1008, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Cabanilla, Takai, Takamine and Thielen being excused.

Representatives Morita and Yamashita, for the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1281) recommending that S.B. No. 994, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 994, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 1281, Relating to Seawater Air Conditioning District Cooling Systems, creating an Enterprise Zone for this kind of business. I have some problems with that and I'll be voting aye with reservations."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support with reservations. First, allow me to preface my comments by saying that I am a proponent of renewable energy.

"The Enterprise Zone is a joint effort at the State and county levels. The purpose of an Enterprise Zone is to stimulate job creation and economic diversification in areas where there is a high need. This program offers State and county tax reductions and other benefits such as an exemption from the general excise tax for up to seven years.

"This bill places more job creation right in the heart of where there are already many jobs and one of the main sources of economic growth in our State. In addition, there appears that there is only one on company in our State providing sea water air conditioning. This one company is also in a position to take advantage of additional tax credits and special purpose revenue bonds. Policy that singles out businesses for preferential treatment is questionable under these circumstances. Thank you, Mr. Speaker."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 994, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Cabanilla, Takai, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1282) recommending that S.B. No. 60, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 60, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN TIME SHARE PLANS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Cabanilla, Takai, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1283) recommending that S.B. No. 921, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 921, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION RECORDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Cabanilla, Takai, Takamine and Thielen being excused.

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Awana introduced the students and staff of the Waianae High School and Nanakuli High School 'Olelo program who were filming at the Capitol.

Representative Ward introduced Mr. Andy Poepoe of the Hawaii Small Business Administration.

Representative Tsuji introduced friends from Central Pacific Bank.

ANNOUNCEMENT

Speaker Say: "The Chair has an announcement. If you look on pages A to N of your Order of the Day, those are your public hearing notices for the respective Committees."

At 12:23 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 281) was announced by the Clerk and the following action taken:

H.R. No. 281, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING THE HAWAII ACADEMY OF SCIENCE ON THE 50TH ANNIVERSARY OF THE HAWAII STATE SCIENCE AND ENGINEERING FAIR," was offered by Representative Yamane.

Representative Yamane moved that H.R. No. 281 be adopted, seconded by Representative Lee.

Representative Yamane introduced recognized the following honorees representing the Hawaii Academy of Science, and State Science Fair winners who were seated on the floor of the House:

Dr. Celia Smith, President, Hawaii Academy of Science;

Dr. Robert Campbell, past President, Hawaii Academy of Science;

Dr. Irvin King, Education Director, Hawaii Academy of Science;

Mr. Philip Mocz, 2006 State Science Fair First Place winner; and

Ms. Lucia Mocz, 2006 State Science Fair Second Place winner.

Representative Yamane also introduced Ms. Christine Trusty, Program Manager of the Hawaii Academy of Science, who was seated in the gallery.

Representative Lee further recognized Mr. Philip Mocz and Ms. Lucia Mocz students at Mililani High School, first place and second place winners in the 2006 Science Fair competition, respectively.

The motion was put to vote by the Chair and carried, and H.R. No. 281 was adopted with Representatives Cabanilla, Takai, Takamine and Thielen being excused.

The following resolution (H.R. No. 282) was announced by the Clerk and the following action taken:

H.R. No. 282, entitled: "HOUSE RESOLUTION COMMENDING AND HONORING THE RECIPIENTS OF THE SMALL BUSINESS ADMINISTRATION'S 2007 SMALL BUSINESS AWARDS," was jointly offered by Representatives Yamashita and Wakai.

Representative Wakai moved that H.R. No. 282 be adopted, seconded by Representative Yamashita.

Representative Wakai introduced the following 2007 Small Business Award recipients seated on the floor of the House:

Mr. Malcolm Koga and Mr. Glenn Nohara of Koga Engineering and Construction, recipients of the Small Business Person of the Year;

Ms. Barbara Hastings and Ms. Barbara Pleadwell of Hastings & Pleadwell, recipients of the Women in Business Champion of the Year;

Mr. Evan Leong and Mrs. Kari Leong of Greater Good, Inc., recipients of the Small Business Journalist of the Year;

Mr. Michael Inouye of Ideal Collectibles, along with Mr. Anthony Yamada and Mr. David Inouye who were not in attendance, recipients of the Small Business Administration's Young Entrepreneurs of the Year;

Mr. Nobuo Kuniyuki and Mrs. Teruko Kuniyaki of Goodtimes, Limited, recipients of the Small Business Exporter of the Year;

Mr. Alvin Makimoto of Uptown Food Mart & Car Wash, recipient of the Family Owned Small Business of the Year;

Mr. Brian Iwata of Taketa, Iwata, Hara & Associates, recipient of the Financial Services Champion of the Year;

Mr. Alii Chang and Ms. Marseu Simpson of Lavender Farm, along with Ms. Lani Weigert who was not in attendance, recipients of the Home Based Business Champion of the Year; and

Dr. Tin My-aing Thein of Pacific Gateway Center, recipient of the Minority Small Business Champion of the Year.

Representative Yamashita introduced wives of the honorees who were seated in the gallery:

Mrs. Carol Koga, Mrs. Wendy Nohara, and Mrs. Cindy Makimoto.

Representatives Bertram, Rhoads, Ward and Yamane further congratulated and recognized the honorees.

The motion was put to vote by the Chair and carried, and H.R. No. 282 was adopted with Representatives Cabanilla, Takai, Takamine and Thielen being excused.

At 12:51 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:01 o'clock p.m.

ANNOUNCEMENT

Representative Caldwell: "Mr. Speaker, I do have one announcement and that is that there will be a Majority Members Caucus immediately after session today. Lunch is provided."

ADJOURNMENT

At 1:01 o'clock p.m. on motion by Representative Caldwell, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 20, 2007. (Representatives Cabanilla, Herkes, Luke, Marumoto, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Saiki, Takai, Takamine, Thielen and Waters were excused.)

THIRTY-FIFTH DAY

Tuesday, March 20, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Speaker Emeritus Joseph M. Souki, after which the Roll was called showing all members present with the exception of Representatives Finnegan, Herkes, Sagum, Takai, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Karamatsu introduced members of the *Honolulu Advertiser* Teen Editorial Board: Cydrienne Llamas, Kimberly Lee, Jonathan Banasihan, Marcie Kagawa, Sean Maekawa, Victoria Hurst, Christopher Ballesteros, Kevin Chafe; and *Advertiser* Senior Editor Ann Harpham.

Representative Morita introduced her CTAHR Agricultural Leadership Program 'shadow', Mr. Kawika Winter, Director of the Limahuli Gardens and Preserve in Haena, Kauai.

Representative Berg introduced her CTAHR Agricultural Leadership Program 'shadow', Ms. Tova Calendar of Maui Land and Pine. She was accompanied by Representative's legislative staff, Ms. Jen Wilbur and Mr. Ian Lind.

Representative Chang introduced Mr. Michael Gleason, Executive Director of the Arc of Hilo.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
40, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
41	Committee on International Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
914, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 283) was announced by the Clerk and the following action taken:

H.R. No. 283, entitled: "HOUSE RESOLUTION RECOGNIZING THE GIRL SCOUTS ON THE OCCASION OF THEIR 95TH ANNIVERSARY AS AN ORGANIZATION IN THE UNITED STATES OF AMERICA AND THE 90TH ANNIVERSARY AS AN ORGANIZATION IN HAWAII," was jointly offered by Representatives Lee, Awana, Belatti, Cabanilla, Carroll, Ching, Evans, Finnegan, Hanohano, Har, Luke, Marumoto, Meyer, Morita, Pine and Shimabukuro.

Representative Lee moved that H.R. No. 283 be adopted, seconded by Representative Morita.

Representative Lee recognized the Girl Scouts organization and introduced the honorees representing the Girl Scout Council of Hawaii who seated on the floor of the House:

Ms. Caroline Ward Oda, Chair, Girl Scout Council of Hawaii Board of Directors;
Ms. Gail Mukaihata Hannemann, Chief Executive Officer;
Ms. Joy Piotrowski, Senior Girl Scout;
Ms. Kristi Cardoso, Girl Scout Council Staff; and
Ms. Aimee Frisbee, Girl Scout Member.

Representative Morita recognized the contributions of the Girl Scouts to the community, and acknowledged House Members who were Girl Scouts or affiliated with its program.

Representatives Ching, Marumoto, Ward further recognized the contributions of the Girl Scouts organization.

The motion was put to vote by the Chair and carried, and H.R. No. 283 was adopted with Representatives Evans, Finnegan, Herkes, Nakasone, Sagum, Saiki, Takai, Takamine and Thielen being excused.

The following resolution (H.R. No. 284) was announced by the Clerk and the following action taken:

H.R. No. 284, entitled: "HOUSE RESOLUTION COMMENDING DUANE "DOG" AND BETH CHAPMAN FOR THEIR CONTRIBUTIONS TO THE STATE OF HAWAIʻI," was offered by Representative Ward.

Representative Ward moved that H.R. No. 284 be adopted, seconded by Representative Pine.

Representative Ward introduced Mr. Duane "Dog" Chapman and Mrs. Beth Chapman, who were seated on the floor of the House, and recognized them for their contributions to the community.

Representative Ward also introduced Mr. Tim Chapman, Mr. Leland Chapman, and Mr. Duane Lee Chapman II, who were seated in the gallery.

Representative Mizuno further recognized Mrs. Beth Chapman.

Representatives Bertram and Pine also recognized the contributions of Mr. and Mrs. Chapman.

The motion was put to vote by the Chair and carried, and H.R. No. 284 was adopted with Representatives Caldwell, Evans, Finnegan, Green, Herkes, Nakasone, Sagum, Saiki, Takai, Takamine, Takumi, Thielen, Tokioka and Yamane being excused.

At 12:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:49 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1284) recommending that S.B. No. 704, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 704, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1285) recommending that S.B. No. 952, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 952, SD 2, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1286) recommending that S.B. No. 971, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 971, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1287) recommending that S.B. No. 1282, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1282, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1288) recommending that S.B. No. 1106, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1106, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON THE STATUS OF WOMEN," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1289) recommending that S.B. No. 1442, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1442, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1290) recommending that S.B. No. 1103, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1103, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1291) recommending that S.B. No. 823, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 823, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1292) recommending that S.B. No. 1017, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1293) recommending that S.B. No. 1450, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1450, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1294) recommending that S.B. No. 1441, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1441, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES," passed Second

Reading and was referred to the Committee on Judiciary with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1295) recommending that S.B. No. 1444, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1444, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1296) recommending that S.B. No. 1350, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1350, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1297) recommending that S.B. No. 979, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 979, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SUICIDE PREVENTION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1298) recommending that S.B. No. 1170, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1170, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1299) recommending that S.B. No. 51, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 51, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1300) recommending that S.B. No. 1481, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1481, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERVENTION FOR SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1301) recommending that S.B. No. 608, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 608, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1302) recommending that S.B. No. 667, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 667, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1303) recommending that S.B. No. 713, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 713, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1304) recommending that S.B. No. 427, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 427, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1305) recommending that S.B. No. 967, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 967, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Green rose to speak in support of the measure, stating:

"In support. I recognize this is a Second Reading bill, but I have just the briefest of comments. This bill is about allowing people who donate organs, such as a kidney, to have some of their expenses covered.

"The impact would be about $15,000, or maybe as little as $10,000 to the State. Though it probably doesn't rise in some ways to the level of statewide legislation, I also think that it sends a symbolic message that if we pass this measure, we are focused on a group of people who make the ultimate sacrifice in order to save someone else's life. I think it would be a wonderful gesture on our part as a Legislature. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 967, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1306) recommending that S.B. No. 970, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 970, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1307) recommending that S.B. No. 1457, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1457, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1308) recommending that S.B. No. 1458, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1458, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1309) recommending that S.B. No. 1459, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1459, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1310) recommending that S.B. No. 1454, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1454, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1311) recommending that S.B. No. 55, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 55, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1312) recommending that S.B. No. 866, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 866, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Judiciary with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1313) recommending that S.B. No. 678, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 678, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1314) recommending that S.B. No. 880, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 880, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC

AND DANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1315) recommending that S.B. No. 1228, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1228, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support of S.B. 1228 which establishes a process to memorialize the World War II Japanese internment camp experience in Hawai`i and appropriates funds to the Department of Land and Natural Resources.

"Preserving the remaining World War II internment camps is a national priority. Earlier this year, President Bush signed into law a bill that creates a $38 million matching grant program to help communities preserve the sites where Japanese-Americans and Japanese nationals were incarcerated, specifically noting the Honouliuli Internment Camp on O`ahu. The Hawai`i internment camps have important stories to tell and valuable lessons to teach us about US history. These lessons are best taught in the outdoor arena of the original site, where they can bring the camp back to life."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL PRESERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1316) recommending that S.B. No. 993, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 993, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1317) recommending that S.B. No. 1720, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1720, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Green rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1720, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1318) recommending that S.B. No. 1222, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1222, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1319) recommending that S.B. No. 1718, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1718, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1320) recommending that S.B. No. 920, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 920, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1321), recommending that H.C.R. No. 78 be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A LEGISLATIVE INTERIM TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR THE CREATION OF UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," was referred to the Committee on Legislative Management with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1322), recommending that H.C.R. No. 54 be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST

PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," was referred to the Committee on Finance with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

At 12:55 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:56 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen were excused.)

THIRD READING

S.B. No. 60, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 60, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN TIME SHARE PLANS," passed Third Reading by a vote of 44 ayes, with Representatives Finnegan, Herkes, Sagum, Saiki, Takai, Takamine and Thielen being excused.

At 12:56 o'clock p.m., the Chair noted that S.B. No. 60, SD 1, passed Third Reading.

ANNOUNCEMENTS

Representative Evans: "Thank you, Mr. Speaker. I would like to ask for a waiver of a 48 hour notice. I have a hearing scheduled for Thursday at 9:00 a.m., and I would like to add to the agenda SCR No. 40, S.D. 1 Requesting the United States Congress to Provide Funding for the Construction of the New State Emergency Operating Center.

"And I'd also request to add to the agenda S.B. 914, S.D. 2 Relating to Mental Health Issues of Committed Persons."

At 12:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

Representative Evans: "Thank you, Speaker. I'd like to withdraw my request, but I would like to request a waiver for S.B. No. 914, SD 2."

Representative Evans for the Committee on Energy and Environmental Protection then requested a waiver of the 48-hour advanced notice requirement to hear S.B. No. 914, SD 2, Relating to Mental Health Issues of Committed Persons, on Thursday at 9:00 a.m., with decision making to follow, and the Chair "so ordered."

Speaker Say: "Members of the House, if you look on your addendum, on pages A through I, those are the public hearing notices of your respective Committees starting from this afternoon until tomorrow morning and tomorrow afternoon."

ADJOURNMENT

At 12:59 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 21, 2007. (Representatives Finnegan, Herkes, Sagum, Saiki, Sonson, Takai, Takamine and Thielen were excused.)

THIRTY-SIXTH DAY

Wednesday, March 21, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Pieper Toyama of Pacific Buddhist Academy, after which the Roll was called showing all members present with the exception of Representatives Herkes, Morita, M. Oshiro, Takai and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 295 through 299) were received and announced by the Clerk and were placed on file:

Gov Msg. No. 295, dated March 9, 2007, transmitting the Department of Public Safety report: Expenditures on Substance Abuse, Sex Offender, and Mental Health Treatment; and Job Development for Pretrial, Incarcerated, and Parolee Populations.

Gov. Msg. No. 296, dated March 13, 2007, transmitting the report pursuant to Act 100, 1999, requiring all departments and agencies to identify their goals and objectives.

Gov. Msg. No. 297, dated March 9, 2007, transmitting the Department of Public Safety report: Gender Responsive Community Based Programs for Women.

Gov. Msg. No. 298, dated March 20, 2007, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for February 2007.

Gov. Msg. No. 299, dated March 16, 2007, transmitting the Department of Human Services' Report for the 2nd quarter of FY 06-07 relating to Vacancies.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Takamine introduced Big Island students from Kalanianaole School and their advisor, Ms. Mari Nakamura; Honokaa Intermediate and High School and their advisor, Ms. Angella Brandt; Paauilo School and their advisor, Mr. Dean Alip; and Laupahoehoe School and their advisor, Ms. Greta Pung.

Representative Takamine also introduced students from the Pacific Buddhist Academy, Mr. Kai Hamasaki and Mr. Sean Asai; and their teacher, Mr. Flynn Corson.

Representative Shimabukuro introduced members of the Adult Friends for Youth Program, and program founder, Mr. Sid Rosen.

Representative Shimabukuro also introduced friends with the American Cancer Society, Ms. Flo Pell and Rev. Frank Chong.

Representative Finnegan introduced students from the Toyama National College of Maritime Technology in Japan: Yu Takahashi, Hayato Okubo, Satoshi Yabuta, Kazuya Mori and Sentaro Nakada; and their professor, Mr. Charlton Moananu, originally from Waianae.

Representative Waters introduced members the Waimanalo Hawaiian Homestead Association, Waimanalo Kupuna Housing, Waimanalo Hawaiian Civic Club, and Hui Malama O Ke Kai Afterschool Program; as well as Uncle Joe and Aunty Nikki Hines; Ms. Ku'ulei Laughlen and Mrs. Woodside.

Representative Berg introduced former Representative Jackie Young with the American Cancer Society.

Representative Tokioka, on behalf of Representatives Sagum, Morita and himself, introduced friends from Kauai with the American Cancer Society: Ms. Mary Williamson, Ms. Bernie Sakoda, and Ms. Janice Bond.

Representative Lee recognized family caregivers and advocates at the Capitol for Family Caregiver Day, and introduced Mr. Bruce McCullough from Kailua, Ms Peggy Palakiko from Maui, Ms. Wendy Stevens from the Big Island, and Mr. Alan Parker, Hawaii County Executive on Aging.

Representatives Mizuno, Green and Belatti introduced and recognized the staff of the American Cancer Society, Ms. Barbara Wade Burton, Government Relations Specialist; and Ms. Lila Johnson with the National Board of Directors; and cancer survivor volunteers: Rev. Frank Chong, Ms. Tina Clothier, Mr. Chris Pablo and Ms. Jackie Young.

Representative Ching also recognized the American Cancer Society.

Representative Brower introduced his aunt, Ms. Jennifer Hausler, a volunteer with the American Cancer Society.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
84	Jointly to the Committee on Education and the Committee on Health
147	Jointly to the Committee on Human Services & Housing and the Committee on Education, then to the Committee on Finance
264	Jointly to the Committee on Human Services & Housing and the Committee on International Affairs, then to the Committee on Higher Education

H.C.R. Nos.	Re-referred to:
106	Jointly to the Committee on Education and the Committee on Health
133	Committee on Human Services & Housing
185	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

189 Jointly to the Committee on Human Services & Housing and the Committee on Education, then to the Committee on Finance

327 Jointly to the Committee on Human Services & Housing and the Committee on International Affairs, then to the Committee on Higher Education

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
810, SD2	Committee on Health, then to the Committee on Finance
1969, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 285) was announced by the Clerk and the following action taken:

H.R. No. 285, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING THE ARTISTS AND PRODUCERS WHO PARTICIPATED IN THE PRODUCTION OF LEGENDS OF HAWAIIAN SLACK KEY GUITAR-LIVE FROM MAUI, THE WINNER OF THE 49TH ANNUAL GRAMMY AWARD FOR BEST HAWAIIAN MUSIC ALBUM OF THE YEAR," was offered by Representative Carroll.

Representative Carroll moved that H.R. No. 285 be adopted, seconded by Representative Hanohano.

Representative Carroll introduced and honored the producers of the Masters of Hawaiian Slack Key Guitar Concert Series:

Mr. Paul Konwiser who was seated on the floor of the House; and Mr. George Kahumoku, Jr. and Mr Wayne Wong who were not in attendance.

Representatives Carroll and Hanohano then introduced the following musicians who performed on the Grammy Award winning *Legends of Hawaiian Slack Key Guitar – Live from Maui*, who were seated on the floor of the House:

Uncle Richard Ho'opi'i, Mr. Bobby Ingano, Mr. Cyril Pahinui, and Mr. Dennis Kamakahi.

Representatives Carroll and Hanohano also recognized other *Live from Maui* musicians who were not in attendance:

Mr. Ozzie Kotani, 'Da Ukulele Boys' Mr. Peter DeAquino and Mr. Garret Probst, Mr. Martin Pahinui, Mr. Keoki Kahumoku, and Mr. Daniel Ho.

Representative Carroll also introduced friends and family seated in the gallery:

Aunty Ululani Ho'opi'i, Aunty Robin Kamakahi, Mrs. Cecilia Konwiser, and Mr. David Konwiser.

The motion was put to vote by the Chair and carried, and H.R. No. 285 was adopted with Representatives Herkes, Morita, Nakasone, Takai and Thielen being excused.

The following resolution (H.R. No. 286) was announced by the Clerk and the following action taken:

H.R. No. 286, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING EDDIE PU FOR HIS DEDICATION TO PERPETUATING HAWAIIAN CULTURE AND TRADITIONS," was offered by Representative Bertram.

Representative Bertram moved that H.R. No. 286 be adopted, seconded by Representative Carroll.

Representative Bertram introduced the honoree, Uncle Eddie Pu and his wife, Mrs. Beverly Pu.

Representative Carroll further recognized Mr. Eddie Pu for his cultural contributions in Hana, Maui.

The motion was put to vote by the Chair and carried, and H.R. No. 286 was adopted with Representatives Herkes, Morita, Nakasone, Takai and Thielen being excused.

At 12:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

At this time, the Chair announced:

"Members of the House, we have seven pages of Second Reading and one Third Reading measure. It's 3 minutes to 1:00 o'clock and I think there are three different functions that are going on this afternoon. The Caregiver's function, the American Cancer Society function, and the Hawaiian Heritage Caucus function. So let's move on as quickly as possible so we may finish."

STANDING COMMITTEE REPORTS

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 1323) recommending that S.B. No. 688, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 688, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1324) recommending that S.B. No. 95, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 95, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VACANT POSITIONS IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representatives Takumi, Green and Sonson, for the Committee on Education and the Committee on Health and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1325) recommending that S.B. No. 98, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 98, SD 1, entitled: "A BILL FOR AN

ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1326) recommending that S.B. No. 840, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 840, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1327) recommending that S.B. No. 870, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 870, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1328) recommending that S.B. No. 1853, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1853, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1329) recommending that S.B. No. 1991, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1991, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1330) recommending that S.B. No. 1937, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1937, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1331) recommending that S.B. No. 1614, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1614, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Takumi, for the Committee on Education presented two reports:

(Stand. Com. Rep. No. 1332) recommending that S.B. No. 1136, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1333) recommending that S.B. No. 1820, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committee be adopted, and that S.B. No. 1136, SD 2, HD 1, and S.B. No. 1820, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Could you just note my reservations on 1332 and 1333, and I'll save my comments for Third Reading."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and S.B. No. 1136, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused; and

S.B. No. 1820, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1334) recommending that S.B. No. 1802, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1802, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1335) recommending that S.B. No. 50, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 50, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIDS RESEARCH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1336) recommending that S.B. No.

1728, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1728, SD 1, entitled: "A BILL FOR AN ACT RELATING TO A TWO-YEAR HEPATITIS C DEMONSTRATION PROJECT," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1337) recommending that S.B. No. 139, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 139, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1338) recommending that S.B. No. 1629, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1629, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1339) recommending that S.B. No. 1674, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1674, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1340) recommending that S.B. No. 1803, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1803, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1341) recommending that S.B. No. 56, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 56, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1342), recommending that H.R. No. 34, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," was referred to the Committee on Finance with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai were excused.)

THIRD READING

S.B. No. 921, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 921, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM ASSOCIATION RECORDS," passed Third Reading by a vote of 45 ayes, with Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai being excused.

At 1:02 o'clock p.m., the Chair noted that S.B. No. 921, SD 1, HD 1, passed Third Reading.

ANNOUNCEMENTS

Representative Chong: "Thank you, Mr. Speaker. I'd just like to make an announcement that your Committee on Water, Land, Ocean Resources & Hawaiian Affairs along with your Committees on Agriculture and Energy & Environmental Protection will have decision-making on all measures on its morning agendas in Room 312 following today's session."

Representative Carroll: "Thank you, Mr. Speaker. On behalf of the Legislative Hawaiian Caucus, we'd like to invite all of you to a Hawaiian lunch in Room 329. Attached to your program, we have your ticket there. We hope that you will join us. And also to come to the Fourth Floor to enjoy all of our displays and demonstrations and we will have the Legends performing this afternoon as well. Thank you."

Representative Evans for the Committee on Public Safety and Military Affairs requested a waiver of the 48-hour advanced notice requirement to hear S.B. No. 1696, Relating to Tuition Assistance, and HCR No. 283, tomorrow at 9:00 a.m.

Representative Evans: "S.B. No. 1696 is broadening the scope of tuition assistance to Hawaii National Guard members attending the University of Hawaii and appropriates funds to the Department of Defense for that purpose. And the other one, HCR 283 was inadvertently omitted. We have on our agenda tomorrow the

companion House Resolution, but we did not list the House Concurrent Resolution and they should have done that jointly," and the Chair, "so ordered."

Representative Shimabukuro: "Thank you. I wanted to invite all the Members to the Family Caregivers Day lunch which has been moved to Room 408 after session, and also the American Cancer Society is also having a lunch in Room 325. Thank you."

Representative Takumi for the Committee on Education and the Committee on Energy and Environmental Protection requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making only on S.B. No. 871, SD 2, Relating to Food Waste Recycling, and the Chair "so ordered."

Representative Takumi: "The reason for the request for the waiver, Mr. Speaker, is that we did have a full hearing on this. We deferred decision-making, but we would like to make a decision on this measure today. For the members of both Committees, it would be at 1:25 p.m. in Conference Room 309. After you eat your three lunches please make your way up there."

ADJOURNMENT

At 1:05 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 22, 2007. (Representatives Herkes, Morita, Takai, Takamine, Thielen and Wakai were excused.)

THIRTY-SEVENTH DAY

Thursday, March 22, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Roy Yamamoto of New Hope Christian Fellowship Prison Ministry, after which the Roll was called showing all members present with the exception of Representatives Souki, Takamine and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Fifth Day was approved. (Representatives Souki, Takamine and Thielen were excused.)

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 437) was received and announced by the Clerk:

Sen. Com. No. 437, transmitting S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," which was adopted by the Senate on March 21, 2007.

Representative Evans moved that S.C.R. No. 123 be adopted, seconded by Representative Har.

Representative Takai rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Thank you, Mr. Speaker. This past Monday marked four years since on the War on Terrorism began. While there continues to be much debate for and against the war, there is no debate about the tremendous sacrifices made by our service members and their families. Between March 29, 2003 and February 28, 2007, we in Hawaii have lost 188 service members who have sacrificed their lives while in the line of duty. To pay special tribute to these heroes and their families, we passed H.B. No. 8 in 2005 which became Act 21. H.B. No. 8 created the Hawaii Medal of Honor.

"This special medal is awarded on behalf of the people of the State of Hawaii to an individual who has been killed in action while serving our country as part of Operation Iraqi Freedom and Operation Enduring Freedom. Recipients of the Hawaii Medal of Honor include members of the United States Armed Forces, United States Military Reserves and the Hawaii National Guard who are residents of the State of Hawaii, attended an educational institution in Hawaii, or were stationed in Hawaii by order of the United States Department of Defense.

"The Hawaii Medal of Honor will be awarded to family representatives of these men and women at a ceremony held during a Joint Session of this Legislature on Monday, April 16, 2007 at 10:00 a.m. in the Senate Chambers. As of today, 36 families are coming to the ceremony. Some families like the Brown family and the Fiscus family will be coming from as far away as New Jersey and Delaware respectively.

"H.B. No. 8 created a planning Committee which is now Chaired by Senator Lorraine Inouye, Representative Cindy Evans, and Major General Robert Lee. I want to thank those three Chairs for doing such a great job in acknowledging these families and our service members. I also wanted to recognize and thank the other members of the planning Committee: you Mr. Speaker, Senate President Colleen Hanabusa, Brigadier General Gary Ishikawa, Colonel (Retired) Emerick Kaneshi, Senate Clerk Carol Taniguchi, House Clerk Patricia Mau-Shimizu, Senate Sgt.-at-Arms Ben Villaflor, House Sgt.-at-Arms Kevin Kuroda, and HMSO Director Linda Oamilda. Also from our various staff, Lisa Vargas, Tommie Suganuma, Micah Young, Tammy Tengan, Paulette Abe, Carl Silva, Pam McCreadie, Elsie Abad, Rod Tanonaka, Eric Hamakawa, Arlina Agbayani, and Trina Ishii.

"Two years ago while serving on active duty, I had the responsibility of serving as the Casualty Assistance Officer for the family of Deyson Cariaga, the Hawaii National Guard's only casualty from Hawaii during the recent deployment of the 29th Brigade Combat Team. That duty as Casualty Assistance Officer was the most difficult challenge of my entire National Guard career. The Carriaga family and Mrs. Theresa Inouye, his mother in particular continue to grieve their loss. I don't wish what they experienced and continue to experience on any family. This Resolution and the actions we have and will take are to honor these soldiers and service members like Sgt. Cariaga, and parents like Theresa Inouye.

"In the past four years, the war against terrorism has changed our world and our lives in a profound way. Ultimately, it's not about politics. It's about money. It's not even about winning. It's about all the families and their loved ones, and what these brave men and women have sacrificed for our country. This Concurrent Resolution enrolls 68 more service members into the Hawaii Medal of Honor Roll and calls us together in Joint Session on April 16th at 10:00 a.m. to honor the sacrifices of these heroes. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I join in support of this Resolution. On behalf of the House Veteran's Caucus, we support this Resolution and thank the families for the ultimate sacrifice that they have made. As a reminder to us all that freedom is not, and will not be free. Thank you."

The motion was put to vote by the Chair and carried, and S.C.R. No. 123 was adopted with Representatives Souki, Takamine and Thielen being excused.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Sagum introduced Dr. Ramon de la Pena, Kauai representative to the University of Hawaii Board of Regents.

Representative Tokioka introduced the Hawaii State Council on Disabilities Day at the Capitol participants from Kauai: Larry Littleton, Kirsten Leigh Romsdal, Deborah Remigio, Shamara Duhaylongdod, Theresa Octavio, Lena Wilson, Leah Redongo, Leila Matagiese, Joe Rosare, Charles Fu, Abraham Jimenez, Chantal Vidinha, Wendy Rosare, Meagan Rice, William Burwell, Trudy DeSilva, Harrison Rita, Clifton Abuan, Archie Lanning, Randy Sapalsan, and El Doi – Teacher.

Representative Green introduced Mr. Curtis Tyler, Councilman Emeritus of Hawaii, Mr. Howard Marks, and other friends from the Big Island with the developmental disabilities community.

Representative Mizuno introduced Ms. Waynette Cabral, Executive Administrator, and the staff of the Hawaii State Council on Developmental Disabilities who were here for their 8th Annual Day at the Capitol, along with the representatives from Oahu.

Representative McKelvey, on behalf of Representatives Souki and Nakasone, introduced Hawaii State Council on Developmental Disabilities Day at the Capitol, participants from Maui County: Paul Vargas, Christina Chang, Joyce Nobriga, Heather Proud, Joan Bellard, Aimee Bellard, Andy Carba, Anja Shields, Sue Sargent, Juna Teague and Tammy Manuha.

Representative Carroll introduced Hawaii State Council on Developmental Disabilities Day at the Capitol, participants from Upcounty and East Maui, Molokai and Lanai: Mary Matsukawa, Angela Raboin, Sheila Awai, Judy Caparida, Ruth Manu, Julia Naki, Iese Tanielu, Yolanda Tanielu, Artie Swingle, Jo Ann Ahuna, Ashley Carreira, Josie Diego, Mary Haina and Caren Pantezzi.

Representative Karamatsu introduced student 'shadows' from Hanalani School in Mililani: Brittany Olson, Ruci Matalau, Nicole Kato, Ricky Eldridge, Brianna Godmere and Steven Severin.

Representative Yamane introduced his legislative 'shadow', Mr. Steven Severin, a senior at Hanalani School.

Representative Sonson on behalf of Representative Lee and himself, also introduced his legislative 'shadow', Ms. Brianna Godmere of Hanalani School.

Representative Sonson on behalf of Representative Har and himself, also introduced Mr. Patrick Branco of Makakilo, a sophomore at Hawaii Pacific University.

Representative Wakai introduced students of the Renew Language Institute near Tokyo; and their teachers, Miwako Shimamura and Toshoko Sugiyama.

Representative Chang, on behalf of the Big Island delegation, introduced student leaders from Hawaii Community College.

Representative Magaoay introduced members of the Koolauloa Community Children's Council: Dacy and Merrick Kagawa; Donna and Kahiau Brown; Charlotte, Joshua and Elena Kamouha; and Doug Heu of Kahuku.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolutions were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
198	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Legislative Management, then to the Committee on Judiciary

H.C.R. Nos.	Re-referred to:
247	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Legislative Management, then to the Committee on Judiciary
284	Committee on Health, then to the Committee on Legislative Management

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
1961, SD1	Committee on Judiciary

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 287) was announced by the Clerk and the following action taken:

H.R. No. 287, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING NATASHA KANANI JANINE KAI FOR HER OUTSTANDING ACCOMPLISHMENTS," was offered by Representative Magaoay.

Representative Magaoay moved that H.R. No. 287 be adopted, seconded by Representative Belatti.

Representative Magaoay introduced Ms. Natasha Kanani Janine Kai, member of the U.S. Women's National Soccer Team. She was accompanied by her parents, Mr. Benny and Mrs. Sharon Kai; and National Soccer Team Captain, Ms. Leslie Osborne, who were seated on the floor of the House.

Representative Magaoay also introduced members of the internationally ranked U.S. Women's National Soccer Team who were seated in the gallery:

Ms. Shannon Boxx; Ms. Jenni Branam; Ms. Lori Chalupny; Ms. Danielle Fotopoulos; Ms. Nancy Goffi; Ms. Megan Kakadelas; Ms. Heather Mitts; Ms. Siri Mullinix; Ms. Danielle Slaton; Ms. Lindsay Tarpley; and Ms. Christie Welsh.

Representatives Belatti and Meyer further recognized the accomplishments of Ms. Kai and congratulated the U.S. Women's National Soccer Team.

The motion was put to vote by the Chair and carried, and H.R. No. 287 was adopted with Representatives Green, Nakasone, Souki, Takamine and Thielen being excused.

The following resolution (H.R. No. 288) was announced by the Clerk and the following action taken:

H.R. No. 288, entitled: "HOUSE RESOLUTION CONGRATULATING THE UNIVERSITY OF HAWAII ON ITS FIRST CENTENNIAL CELEBRATION," was jointly offered by Representatives Takai, Awana, Belatti, Berg, Brower, Caldwell, Carroll, Chang, Ching, Chong, Finnegan, Hanohano, Har, Karamatsu, Luke, Magaoay, Manahan, Marumoto, Mizuno, Morita, Nishimoto, B. Oshiro, Sagum, Saiki, Say, Shimabukuro, Takumi, Tsuji, Yamane, Yamashita, Cabanilla, Herkes, Ito, M. Oshiro, Sonson, Takamine and Waters.

Representative Takai moved that H.R. No. 288 be adopted, seconded by Representative Chang.

Representative Takai honored and congratulated the University of Hawaii on its Centennial Celebration.

Representative Chang then recognized the following honorees representing the University of Hawaii, past and present, who were seated on the floor of the House:

Mr. Robert Fujimoto, former member of the Board of Regents;

Dr. David McClain, President of the University of Hawaii;

Dr. Fujio "Fudge" Matsuda, former President of the University of Hawaii;

Mrs. Joyce M. Najita, Director of the Industrial Relations Center; and

Mr. Kenji Rasmussen, Chair of the University of Hawaii Student Caucus.

Representative Chang then introduced family, friends and faculty of the University of Hawaii who were seated in the gallery:

Mrs. Amy Matsuda;
Mr. Kazu Toshi;
Ms. Joan Najita and family;
Mr. Don Najita and family;
Staff of the Industrial Relations Center;
Ms. Marlene Hapai, Board of Regents member;
Mr. Ramon de la Pena, Board of Regents member;
Ms. Denise Konan, Interim Chancellor, UH Manoa;
Mr. Francisco Hernandez, Vice Chancellor, UH Manoa;
Mr. Sam Callejo, Vice President;
Mr. Brian Taylor, Dean of SOEST;
Mr. Peter Crouch, Dean of Engineering;
Mr. Donald Young, Dean of Education;
Ms. Rose Tseng, Chancellor, UH Hilo;
Mr. Gene Awakuni, Chancellor, West Oahu; and
Ms. Angela Meixell, Chancellor, Windward Community College.

Representative Chang then acknowledged the following Members who graduated from, or attended a campus within the University of Hawaii System:

Representatives Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Finnegan, Hanohano, Har, Ito, Karamatsu, Luke, Magaoay, Manahan, Marumoto, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Sagum, Saiki, Say, Shimabukuro, Sonson, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Ward, Waters, Yamane and Yamashita.

The motion was put to vote by the Chair and carried, and H.R. No. 288 was adopted with Representatives Nakasone, Souki, Takamine and Thielen being excused.

At 1:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:13 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Yamashita and Morita, for the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1343) recommending that S.B. No. 1717, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1717, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representatives Yamashita and Morita, for the Committee on Economic Development & Business Concerns and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1344) recommending that S.B. No. 597, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 597, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY, INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1345) recommending that S.B. No. 1182, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1182, SD 2, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1346) recommending that S.B. No. 1346, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1346, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Thielen being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1347) recommending that S.B. No. 718, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 718, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1348) recommending that S.B. No. 890, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 890, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1349) recommending that S.B. No. 639, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 639, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1350) recommending that S.B. No.

1308, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1308, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1351) recommending that S.B. No. 835, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 835, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1352) recommending that S.B. No. 837, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 837, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1353) recommending that S.B. No. 1307, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1307, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1354) recommending that S.B. No. 1337, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1337, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1355) recommending that S.B. No. 1456, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1456, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1356) recommending that S.B. No. 1463, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1463, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like a ruling on a potential conflict of interest. I do some work for HHSC at my law firm," and the Chair ruled, "no conflict."

Representative Green rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. I have the same request. I do some contract work for HHSC as an ER doctor," and the Chair ruled, "no conflict."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"I rise with reservations on Stand. Com. Rep. No. 1356. I had asked some questions before about the pay that the head of the Hawaii Health Systems Corporation gets, and I really haven't received an answer and so I have some real concerns with that."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1463, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1357) recommending that S.B. No. 950, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 950, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations on this bill. My primary concern is that we really don't need another study. There were some concerns expressed about how to limit non-Native or non-Hawaiian taro as a State plant. We can easily do that by just identifying endemic or indigenous varieties that were traditionally used by Hawaiians. There's no need to go through a huge study on this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 950, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Thielen being excused.

Representatives Yamane and Evans, for the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1358)

recommending that S.B. No. 679, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 679, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1359) recommending that S.B. No. 1028, pass Second Reading and be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1028, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Souki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1360) recommending that S.B. No. 1287, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1287, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Souki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1361) recommending that S.B. No. 1047, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Souki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1362) recommending that S.B. No. 1042, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1042, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1363) recommending that S.B. No. 152, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 152, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. I note that the Department of Transportation opposed this bill. They were concerned that this bill asked to expend State funds in addition to federal funds. Also it sort of earmarks it narrowly so that they don't have as much flexibility on what the money should be spent on.

"Currently that money could be spent for bicycle lanes, bicycle paths, any traffic control device, shelter, parking facility or other support facility to serve bicyclists. This is just for separate paths, off the road. So I guess those were their concerns. Thank you, Mr. Speaker."

Representative McKelvey rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support, mainly for what has been missing in developing bicycle facilities in the past. Our original intent when we did our bicycle advisory committee on Maui was to start on paths, but what they really only did was road shoulders. Unfortunately, so much of what the Department of Transportation does, you can hardly tell there is a facility for bikes. It's something that can be used by cars as well. 70% of Hawaii's residents, when polled statewide, supported the bike paths as their most important feature that they wanted to see done. This just reflects that, and I'm very much in support."

Representative Har rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, bicycles are not only for recreation and exercise, but have become for many the mode of transportation to and from work. With the growing number of vehicles on our roads and the increase in the obesity of our citizens, we should encourage the use of healthy alternatives.

"This bill, Mr. Speaker, earmarks 2% of the eligible federally funds, and in addition, other State Highway Fund moneys for bicycle paths, installation of signage and safety devices along bicycle lanes and bicycle routes and directs the Department of Transportation to have a public involvement process. Again, this is 2% of the federally eligible monies, not 2% of all federal monies.

"This is a good bill and I encourage my colleagues to vote in support of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 152, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1364) recommending that S.B. No. 1260, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1260, SD 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On this measure, I stand in strong support and I'll reserve my comments for Third Reading. But at this time I would just like to thank the Finance Chair. He listened to testimony on this bill yesterday, and it's a very important measure. It's part one of two parts of a vehicle in the process of saving our hospital in Kahuku. Thank you."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"I rise with reservations. As much as I really support this for Kahuku, I must note that we're still working to try to get a second hospital for Maui. I would actually ask that the Senate also look at Maui's needs, as well, while we're helping out Kahuku."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support. I had the pleasure of working with the Representative from Haleiwa before the Legislature opened; having meetings with people that live out in Kahuku and people that live in my district that go to that hospital for their medical needs. This is truly a grassroots effort. The hospital would be closed now if it weren't for the efforts of legislators from the district.

"As the Representative from Haleiwa said, we appreciate this moving along. This is an emergency grant and it is very important that it gets passed. The people from the district have traveled back and forth to the Capitol numerous times, and yesterday was no different. They were here smiling and giving testimony. I don't think that the Representative from Maui has to worry. There's no way that this bill will take away from anything that's happening in Maui. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1260, SD 2, entitled: "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL," passed Second Reading and was placed on the calendar for Third Reading with Representatives Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1365) recommending that S.B. No. 14, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 14, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. I rise in opposition because of the perfect timing of this bill coming up. Just a few minutes ago, we celebrated the 100th year of the University of Hawaii. For a hundred years the system that ran the Board of Governors has worked. Seventy five percent of us, Mr. Speaker, are graduates of that University.

"But yet this bill is intended, I'm afraid, to interrupt that unbroken success story with what appears to be one of the 109 measures to lessen the influence of the present Governor. It's hard to understand why we would want to change it because there's no proof that it's going to make it any better. In fact, it may make it worse.

"And I cite, not just my opinion, but that of President McClain who we just honored. President McClain, in an op-ed in opposition to Senator Sakamoto's op-ed in the *Star Bulletin*, cited that we are going in the wrong direction and cited the governing body of the universities in the United States saying clearly, this is a rare and unusual direction to take. It is not a wise one.

"Yes, of course, the people of Hawaii said they wanted an advisory committee, but they didn't say they wanted our friends to be put on it. They didn't want us to politicize it and not make it accountable to the Governor. Because if we succeeded, and we just commend it for a hundred years, the great job UH has done, we're saying now over the last few years, 'Hey, well, it's got to be changed from the last one hundred years. It's not going to be the future direction of a hundred years.'

"So, Mr. Speaker, the adage is, 'if it ain't broke, don't fix it'. I think we're tampering with something that we're going to make worse. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A no vote and I'll save my comments for tomorrow."

Representative Meyer rose in opposition to the measure and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 14, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Finnegan, Meyer and Ward voting no, and with Representatives Souki and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Souki and Thielen were excused.)

THIRD READING

S.B. No. 920, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 920, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 49 ayes, with Representatives Souki and Thielen being excused.

At 1:23 o'clock p.m., the Chair noted that S.B. No. 920, SD 1, HD 1, passed Third Reading.

ANNOUNCEMENT

Speaker Say: "Members, on pages A to J of your Order of the Day are the hearing notices for today and tomorrow for the respective Committees."

ADJOURNMENT

At 1:24 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 23, 2007. (Representatives Souki and Thielen were excused.)

THIRTY-EIGHTH DAY

Friday, March 23, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Roy M. Takumi, after which the Roll was called showing all members present with the exception of Representatives Berg, Meyer, B. Oshiro, Takamine, Thielen and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Seventh Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 300 and 301) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 300, dated March 19, 2007, transmitting the Department of Public Safety's response to Act 160, Section 93.2, Session Laws of Hawaii 2006, requiring a report on the status of all lump sum capital improvement projects for FY 2006-2007 appropriated funds under general administration (PSD 900).

Gov. Msg. No. 301, dated March 23, 2007, transmitting the Department of Public Safety's response to Act 160, Section 63.1, Session Laws of Hawaii 2006, requiring a report on nursing services contracts for correctional facilities.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 438 through 443) were received and announced by the Clerk:

Sen. Com. No. 438, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bill:

S.B. No. 921, SD 1, HD 1

Sen. Com. No. 439, transmitting H.B. No. 1108, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," which passed Third Reading in the Senate on March 22, 2007.

Sen. Com. No. 440, transmitting H.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO ARSON," which passed Third Reading in the Senate on March 22, 2007.

Sen. Com. No. 441, transmitting H.B. No. 1393, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," which passed Third Reading in the Senate on March 22, 2007.

Sen. Com. No. 442, transmitting H.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on March 22, 2007.

Sen. Com. No. 443, transmitting H.B. No. 714, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," which passed Third Reading in the Senate on March 22, 2007.

Representative Caldwell moved to disagree to the amendments made by the Senate to H.B. No. 714, HD 2, SD 1, seconded by Representative Karamatsu and carried. (Representatives Meyer, Takamine and Thielen were excused.)

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 55) was received by the Clerk and was placed on file:

Dept. Com. No. 55, dated March 2007, from David Shimabukuro, Administrator, Employees' Retirement System, transmitting their Comprehensive Annual Financial Report for the fiscal year ended June 2006.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee introduced Girl Scouts, leaders and parents here for Girl Scouts Day at the Capitol.

Representative Lee then introduced members of Girl Scout Troop 1075 of Mililani: Ms. Emily Poirier and Ms. Samantha Bergan; and Junior Troop 289: Ms. Janelle Lau, Ms. Gini Gustafson, Ms. Rachel Watanabe, Ms. Malia Luke and Ms. Alanna Machado.

Representative Manahan introduced Ms. Donna Kahakui with Kai Makana environmental organization, and recipient of the Women of the Earth award. She was accompanied by her family and members of Kai Makana.

Representative Tsuji introduced Girl Scout Troop 15 from St. Joseph School in Hilo: Ms. Chloe Craft, Ms. Alicia Santos, Ms. Fiona Follet, and their chaperone, Ms. Lea Craft.

Representative Pine, on behalf of Representative Cabanilla and herself, introduced Girl Scout Troop 461 in Ewa Beach: Ms. Kayla deRuiter, Ms. Nicole Araujo, and Ms. Sara McGuire; and their leaders, Ms. Liz Holmes, Ms. Chris Avaujo and Ms. Julie McGuire.

Representative Pine also introduced Girl Scout Troops 397 and 973: Teya Montoya, Chandelle Montoya, Neva Montoya and Alix Montoya, and their mother, Mrs. Debbie Montoya.

Representative Har introduced her friends, Ms. Lois Hashimoto and her mother, Mrs. Yoshiko Hashimoto; and former Representative Clarice Hashimoto and her daughter, Emi Omori.

Representative Ching introduced Liliha Neighborhood Board member, Mr. Arvid Youngquist.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:

269	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns

H.C.R. No.	**Re-referred to:**
169	Committee on Agriculture, then to the Committee on Transportation

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
1133, SD3	Committee on Finance
1402, SD1	Committee on Finance

At this time, the Chair announced:

"Members of the House, we have 26 pages of bills for Second Reading. I believe some of our colleagues have to catch a flight back before 1:30 so I would like to get through this as quickly as possible."

STANDING COMMITTEE REPORTS

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1366) recommending that S.B. No. 1281, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1281, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1367) recommending that S.B. No. 686, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 686, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1368) recommending that S.B. No. 897, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 897, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRAINING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1369) recommending that S.B. No. 618, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1370) recommending that S.B. No. 1447, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1447, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1371) recommending that S.B. No. 1116, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1116, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL APPLICATION FEES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1372) recommending that S.B. No. 58, SD 2, HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 58, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1373) recommending that S.B. No. 1654, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1654, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1374) recommending that S.B. No. 1697, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1697, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF "CONTRACTOR" UNDER THE CONTRACTOR REPAIR ACT," passed Second

Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1375) recommending that S.B. No. 795, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 795, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1376) recommending that S.B. No. 990, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 990, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1377) recommending that S.B. No. 1675, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1675, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1378) recommending that S.B. No. 1676, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1676, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1379) recommending that S.B. No. 820, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 820, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1380) recommending that S.B. No. 11, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 11, SD 3, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 11, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representative Rhoads voting no, and with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1381) recommending that S.B. No. 1381, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1381, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1382) recommending that S.B. No. 1382, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1382, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1383) recommending that S.B. No. 1383, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1383, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1384) recommending that S.B. No. 1384, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1384, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1385)

recommending that S.B. No. 1385, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1385, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1386) recommending that S.B. No. 1386, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1386, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1387) recommending that S.B. No. 1387, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1387, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1388) recommending that S.B. No. 1388, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1388, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1389) recommending that S.B. No. 1389, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1389, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1390) recommending that S.B. No. 1390, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1390, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1391) recommending that S.B. No. 1988, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1988, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HONEY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takamine and Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1392) recommending that S.B. No. 662, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 662, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1393) recommending that S.B. No. 1221, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1221, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wakai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1221, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1394) recommending that S.B. No. 885, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 885, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1395) recommending that S.B. No. 973, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 973, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1396) recommending that S.B. No. 1918, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1918, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1397) recommending that S.B. No. 1083, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1083, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE BROADCAST PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1398) recommending that S.B. No. 1380, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1380, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1399) recommending that S.B. No. 1391, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1391, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1400) recommending that S.B. No. 1833, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1833, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure with reservations, stating:

"I just want to note my reservations on Stand. Com. Rep. No. 1400. I think there's a lot of good intent behind this bill to help those that need family leave and sick leave, but I'm just really concerned on the negative impact it would have on the small businesses in Hawaii."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'll vote with reservations on 1400. I was just concerned with the generosity of the paid leave in the original version of the bill."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1833, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1401) recommending that S.B. No. 1284, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1284, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1402) recommending that S.B. No. 1926, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1926, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1403) recommending that S.B. No. 1933, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the

Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1404) recommending that S.B. No. 69, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 69, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1405) recommending that S.B. No. 1365, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1365, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1406) recommending that S.B. No. 1636, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1636, SD 2, HD 2, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Bertram rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1636, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was referred to the Committee on Judiciary with Representative Bertram voting no, and with Representatives Takamine and Thielen being excused.

Representatives Yamashita and Ito, for the Committee on Economic Development & Business Concerns and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1407) recommending that S.B. No. 896, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 896, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1408) recommending that S.B. No. 323, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 323, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1409) recommending that S.B. No. 907, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 907, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1410) recommending that S.B. No. 1315, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1315, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1411) recommending that S.B. No. 1929, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1929, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1412) recommending that S.B. No. 1026, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1026, SD 2, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I'd like to register a no vote on Stand. Com. Rep. No. 1412 which is going to put a deposit on the larger bottles, the 64 ounce up to 68 ounce. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1026, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1413) recommending that S.B. No. 138, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and S.B. No. 138, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1414) recommending that S.B. No. 1090, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1090, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1415) recommending that S.B. No. 1093, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1093, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN HEALTH CONSENSUS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1416) recommending that S.B. No. 1818, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1818, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1417) recommending that S.B. No. 816, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 816, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1418) recommending that S.B. No. 1709, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1709, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1419) recommending that S.B. No. 1034, SD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1034, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1420) recommending that S.B. No. 1066, SD 2, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1066, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I would like to register an aye with reservations on Stand. Com. Rep. No. 1420. While I know it seems like it's an important thing to have money to beef up our efforts in finding invasive species, this bill has the ability to add daily to the cost of everything in Hawaii. It'll put a fee on everything that is shipped in. I know the auto dealers are very concerned about it. I know there's a lot that can be changed in it, but the way it is right now, I'm with strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1066, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1421) recommending that S.B. No. 1046, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1046, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1422) recommending that S.B. No. 1500, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1500, SD 3, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1423) recommending that S.B. No. 1677, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1677, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1424) recommending that S.B. No. 768, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 768, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1425) recommending that S.B. No. 784, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 784, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1426) recommending that S.B. No. 946, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 946, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 1426, I'd like to stand with reservations and make a comment. Thank you. The purpose of the bill is to enable a driver whose license has been administratively revoked for life due to multiple convictions of driving under the influence.

"My only comment would be hopefully Judiciary will address the fact that this is an opportunity for someone after ten years of substance abuse counseling or whatever, to go back and ask for a license which I think is a good idea. But what it doesn't have which the Senate had in the Senate version was that, what happens if you give it to them and then they go back and get a DWI again? In the Senate version it said, well you'd go back to life revocation with no chance of coming back after ten years. It did address that and this bill right now in its form does not address that."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 946, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Second Reading and was referred to the Committee on Judiciary with Representative Finnegan voting no, and with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1427) recommending that S.B. No. 1237, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1237, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1428) recommending that S.B. No. 1528, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1528, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1429) recommending that S.B. No. 12, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 12, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Chang and Cabanilla, for the Committee on Higher Education and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1430) recommending that S.B. No. 1177, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1177, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GLOBAL YOUTH CENTER IN HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Chang and Green, for the Committee on Higher Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1431) recommending that S.B. No. 1283, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1283, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. Thank you, Mr. Speaker. I'm kind of puzzled and concerned with the fact that this measure is on the Floor today. For those of you who don't recall, in 2001, after the September 11 bombings, we came back in Special Session in October to address a number of things, one of which was the building of a UH medical school in Kakaako. At the time we were told, Mr. Speaker, that the University was requesting a $150 million bond for the construction of the Medical School, utilizing the funds from the Tobacco Special Fund. We were also told in October of 2001 that the University would raise $150 million for a number of things, including the operations of this new facility.

"We have since learned that it wasn't really a $150 million bond that they requested and received, but more like a $300 million commitment from that Tobacco Fund. Because as you know, Mr. Speaker, a 30 year bond commitment of $150 million is equivalent to about double. So I believe based on figures we received in 2004 and 2005, that commitment is in excess of $302 million coming from the Tobacco Special Fund.

"Today we see a bill before us that takes additional funds from the Tobacco Fund to be utilized for the operations of the Medical School. I'm very disappointed that we're looking at this really because we were told by the University first of all, that they would absorb the cost of operating this new facility.

"Two years ago as we shaped the fiscal biennium budget, we were told that all they need was about $3.2 million for the next two years, which we gave them. This year we were told that not only do they need the $3.2 million, but they need an additional $3.5 million, or more than that. In fact, it's about $7 million to operate this facility.

"We really need to get down to the bottom of this situation and figure out once and for all, what we were told, what the commitments were by the University. And moving forward, what the commitments are today. I just hope that the Finance Committee can take a look at this and hopefully we won't see it on Third Reading because this is just a problem that I thought we had solved a few years ago. Thank you, Mr. Speaker."

Representative Takumi rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Berg rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Sonson rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Bertram rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1283, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Berg, Bertram, Evans, Luke, Pine, Rhoads, Sonson, Takai and Takumi voting no, and with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1432) recommending that S.B. No. 1515, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1515, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1433) recommending that S.B. No. 1529, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1529, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1434) recommending that S.B. No. 1191, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1191, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1435) recommending that S.B. No. 1419, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1419, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE PRICE GOUGING," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1436) recommending that S.B. No. 651, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 651, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1437) recommending that S.B. No. 1612, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1612, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1612, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1438) recommending that S.B. No. 987, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 987, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Takamine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1439) recommending that S.B. No. 992, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 992, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1440) recommending that S.B. No. 1400, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1400, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1441) recommending that S.B. No. 1060, SD 1, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1060, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I'd like to register a no vote on this measure, Relating to the Worker's Compensation Law. While this bill has one good thing in it, it has so many other damaging things that you have to wonder if anybody will support it who would benefit from the one good item in it. It reminds me of a person who had a bowl of Jell-O and a fly landed on it. She would often still eat it, but how many flies can land on there before you push the Jell-O aside. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am in opposition to this measure. My objections are outlined in the Minority Report so I will simply just point that out in the interest of time."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Also vote with reservations. Not sure about the no vote yet. There might be one little piece left."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Yamane rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1060, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," was referred to the Committee on Finance with Representatives Marumoto and Meyer voting no, and with Representatives Takamine and Thielen being excused.

Dissent to Stand. Com. Rep. No. 1441 was submitted as follows:

DISSENT TO STAND. COM. REP. NO. 1441-07
March 23, 2007
RE: Senate Bill 1060, S.D. 1, H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

I respectfully dissent from the recommendation of your Committee on Consumer Protection and Commerce favoring passage of Senate Bill No. 1060, S.D. 1, H.D. 1, "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW". The purpose of the bill is to:

(1) Allow for alternative dispute resolution for workers' compensation claims;

(2) Establish criteria for the use of optional evidence-based guidelines for treatment and for the denial and dispute processes;

(3) Exempt individuals holding ownership of at least 50% in an employing unit, including corporations, partnerships, limited liability partnerships, and sole proprietorships from workers' compensation requirements if the individual chooses to be excluded, provided that the exclusion shall be irrevocable for five years;

(4) Exempt service performed by a partner for the for the partnership, a partner of a limited liability partnership, and sole proprietor for the sole proprietorship from workers' compensation requirements;

(5) Prevent essential medical services from being discontinued in the event of a dispute, until the Director of Labor renders a decision on whether medical treatment should be continued;

(6) Allow for the recovery of costs from a claimant's personal health care provider or other appropriate occupational or non-occupational insurer by an employer or employer's insurer in the event unwarranted medical treatment was provided;

(7) Allow injured workers to be referred for vocational rehabilitation where the employee has achieved maximum medical improvement and the employer has made no offer of permanent suitable work;

(8) Allow for requests for hearings by employees and employers;

(9) Provide for reimbursement of medical treatment expenses which should have been denied;

(10) Limit the rulemaking powers of the Director;

(11) Establishes requirements and standards for independent medical examiners to perform independent medical exams;

(12) Clarifies authorization for claims for attorney's services; and

(13) Require the submission of annual reports by workers' compensation insurers to the Director of Department of Commerce and Consumer Affairs and the Insurance Commissioner.

The Committee on Consumer Protection and Commerce passed the bill in an unamended form.

I do not agree with many of the provisions of the bill in its current form. The language in Section 8 of this bill alters the selection process for an independent medical examiner. Under current law, the employer designates and pays for the independent medical examiner. It is one of the few cost-managing options for the employer in the workers' compensation arena. The proposed language calls for the independent medical examiner to be selected by mutual agreement of the claimant and employer, removing a cost-containment tool for the employer.

The language is also ambiguous as to what will happen if there is no mutual agreement between the parties as to the independent medical examiner. The proposed language calls for the director to provide the parties "with the names of three duly qualified independent medical examiners within ten calendar days from the notification of failure to reach mutual agreement, compiled and maintained by the director, to the employer and employee from which they shall choose." However, what happens upon further disagreement is unclear. The language on page 27-28 states, "If the employer and employee, within ten calendar days." Without statutory guidance, this situation would go unresolved, resulting in no resolution for the employer, and no care for the employee.

In addition, current law allows for the employee to have their own physician present at the examination. This is to allow the employee verification of the medical examination conducted by the employer's IME and allows for balance in the process. Current law mandates that the employer has the right to select the physician, but also has the obligation to pay. The language of this section switches the burden of payment onto the employer, further weakening cost containment potential, and creating a conflict of interest situation for the employee's physician and a punitive situation for the employer.

Second, the proposed language in Section 4 of the bill creates a situation that further penalizes the employer. Under the proposed language, even if the physician determines that the employee can return to work, by disputing the opinion, the employee can continue to receive medical services until the Director of Labor and Industrial Relations renders a ruling to the contrary. This continuing medical care contributes to higher costs to the system and in insurance premiums.

In addition, should the Director rule in favor of an employer, the employer or the employer's insurer may initiate an action to recover all of the sums paid for medical services rendered after the date designated by the Director. However, the recovery can only be made against the claimant's personal health care provider, or any appropriate occupational or non-occupational insurer, not the claimant themselves. This will have the effect of further increasing health insurance premiums, which are paid by the employer. In other words, the employer will end up paying either way under these provisions.

Third, the language in Section 6 of the bill allows an employer to request in writing for the issuance of a credit for the amount of temporary total disability benefits paid by an employer after the date which the Director of Labor and Industrial Relations determines should have been the last date of payment of benefits. This language supposedly allows a credit against future medical or indemnity payments. What remains unanswered is where such a credit will come from. If the credit is to come from the injured employee's future settlement, the procedure for such recovery is not specified in this bill. Without such specification, the employer has no realistic possibility of reimbursement for paying future medical or indemnity benefits.

Fourth, the National Council on Compensation Insurance, Inc., in their testimony on House Bill 763, H.D. 2, which is the language currently adopted in Senate Bill 1060, S.D. 1, H.D. 1, stated that the language in Section 5 of the bill, allowing the Director of Labor and Industrial Relations to refer workers who are not permanently disabled but have reached maximum medical improvement and whose employers have not offered them permanent employment as nearly as possible to their pre-injury wage level for vocational rehabilitation services, and the language in Section 10 of the bill, expanding the prohibition on unscheduled reporting, will increase costs. Specifically, the National Council on Compensation Insurance, Inc. testified that, under the scenarios run by the council, the combined overall impact of just these two proposed sections could range from a potential cost impact of $6 to $20 million. At a time when the direction should be to lower the cost of workers' compensation insurance premiums and system expenses, this is a move in the wrong direction.

Additionally, the expansion of the prohibition on unscheduled reporting in Section 10 may conflict with the language of Section 1 of the bill, starting on page 5, which requires the attending physician to submit a treatment plan to the employer.

Finally, the language in Sections 2, 7, and 12, combine to severely restrict the rulemaking authority of the Director of Labor and Industrial Relations. Legislative approval of proposed rules merely frustrates and prevents the ability of the Director to perform. Such a system will prevent prompt responses to the changing needs of the workers' compensation program. This proposed inefficiency only serves to frustrate the Director's ability to facilitate and promote the efficient execution of the workers' compensation laws, hurting both employer and injured employee.

Many others have drawn the same conclusions regarding this bill. Among those who testified against the bill include the Retail Merchants of Hawaii, the National Council on Compensation Insurance, Inc., the State Attorney General, the Department of Human Resources Development, the Hawaii Insurers Council, the Hawaii Medical Association, the National Federation of Independent Businesses, Klein Chiropractic Center, the Department of Human Resources of the City and County of Honolulu, Bay Harbor Honolulu, LLC, Pearl County Club, Zippy's Restaurants, the Chamber of Commerce of Hawaii, Itoen, ILWU Local 142, HEMIC, and the Hawaii Government Employees Association. Several chiropractors also testified in limited opposition to the bill.

For the reasons discussed above, I cannot, in good conscience, support the proposed legislation.

Respectfully submitted by the following member of your Committee on Consumer Protection and Commerce

/s/ Barbara Marumoto
Barbara Marumoto,
Ranking Minority Member

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1442) recommending that S.B. No. 1352, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1352, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Shimabukuro and Ito, for the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1443) recommending that S.B. No. 1917, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1917, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1444) recommending that S.B. No. 1919, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1919, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSET BUILDING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1445) recommending that S.B. No. 424, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 424, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1446) recommending that S.B. No. 1603, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1603, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1447) recommending that S.B. No. 162, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 162, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1448) recommending that S.B. No. 1923, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1923, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1449) recommending that S.B. No. 1924, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1924, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1450) recommending that S.B. No. 1004, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1004, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in support of senate Bill 1004 SD2, HD1

"I firmly believe that this bill will help meet the urgent need for timely, appropriate and cost-effective therapeutic mental health services in rural areas. I support it with the same conviction that prompted me to speak in favor of its companion, HB 1456, when it came to the Floor earlier in this session.

"The House Bill was introduced by the Representative from Kailua-Kona—a physician who knows first-hand the needs of people living in medically underserved areas of our islands. I too represent a rural district. Our district's only medical facility is a federally qualified health center (FQHC), one of a handful of such centers throughout the state. It is also an area in which access to psychiatric care is severely limited. This bill, with its narrow focus, applies only

to licensed psychologists practicing in an FQHC and in collaboration with the patient's primary physician.

"I have great respect for many of those representing medical, health and advocacy organizations who have testified and lobbied against this bill. However, I have been convinced by testimony of others within the medical community who support the bill.

"One testimony, in particular, that caught my attention was that of Marvin Oleshansky, M.D., a retired colonel in the US Army Medical Corps. Drawing on his experience as director of a military program that trained psychologists to prescribe psychoactive medications, he believes that the training outlined in the bill before us measures up to the standards of the program he once administered.

To deny the people of rural Hawaii the specialized care—and medication—that appropriately trained psychologists can provide is both unfair and unnecessary. I urge my colleagues to vote favorably for this bill."

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I strongly oppose S.B. 1004--Relating to Psychologists. While I can understand that there is a great need for psychiatric care in rural areas that is not currently met, and that SB 1004 seeks to remedy this need, it does not assure that the proposed prescribers will be able to prescribe safely or that they will serve in rural areas. A comprehensive medical education is necessary to safely prescribe psychotropic medications.

"Most importantly, mentally ill patients may be prone to suicide ideations and one common means of suicide is overdosing on prescription medications. The practitioner must understand, acknowledge, and be aware that intentional or accidental overdose will occur; they must understand the treatment protocols for each medication and the sometimes obscure side effects of each medication. There is clear and present danger in an attempt to rapidly educate clinical psychologists and allow prescriptive privilege after a short period of study. Allowing psychologists to prescribe medications puts patients' safety at risk."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. A no vote and I'll just save my comments on Third Reading."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Green rose to speak in support of the measure, stating:

"Mr. Speaker, just one sentence in support. Brief statement. A lot of Members have legitimate concerns about curriculum so in this latest draft we've increased the curriculum significantly. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1004, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Ching, Finnegan, Meyer and Ward voting no, and with Representatives Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1451) recommending that S.B. No. 1792, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1792, SD 3, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"With reservations on 1451 with a few remarks if I may. On 1451, Relating to the Hawaii Healthcare System and the possibility of having regional corporations. This bill will allow the possible breakup of HHSC if passed. I'm a big fan of homerule and I have all the most respect of those on Maui who need a second hospital, who deserve a second hospital, but the timing of it now, because of two major factors, Mr. Speaker.

"One, Triad that was going to build Maululani, the second hospital, has just been bought out. And if you bought out a company, generally you're not going to get in bed with those who may have a questionable amount of profitability in the making.

"Number two, in great surprise was the fact that Maui Memorial, which heretofore had been known as a 'cash cow' is actually going to actually lose $28 million in FY 08. Because of that, HHSC is shaking and wobbling again, the way it was when we first formed it a number of years ago.

"My sense is that the timing is not right. And some have even said if this bill passes, the Kahuku Hospital buyout, embraced by HHSC may be jeopardized and I think that's a very serious proposition. So I think everybody should contemplate very seriously the passage of this bill."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Reservations, Mr. Speaker. Mainly because there are a lot of concerns and I think this is one of the things we need to proceed very, very carefully. Our medical system right now is so impacted by a lot of things and adding this matter would make it worse."

Representative Morita rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations, and asked that the remarks of Representatives Cabanilla and Ward be entered in the Journal as his her, and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"In strong support. I'm supporting this mainly because it's just what everyone's brought up. You know, Senator Inouye said the whole thing about this healthcare crisis coming up. That the 'perfect storm' is coming up. And we can't just stay in our old ways. We can't just rely on what's been going on so far to get us out of this. That's how we got to this point.

"So we really do need to look at new ways and especially bringing it to the local level and allowing more flexibility on the islands to actually face these challenges in ways that are appropriate to them. And although this doesn't really affect the second hospital, this is really just for Maui Memorial. It is important that we have a strong partner in creating a healthcare system for Maui, so I support this."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose in support of the measure, stating:

"In strong support, Mr. Speaker."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict of interest. At my law firm I represent HHSC in some matters. I notice that on page 33 there's an exemption from Chapter 102, and I do deal with some things in Chapter 102 for HHSC," and the Chair ruled "no conflict."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1792, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1452) recommending that S.B. No. 675, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 675, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"I just wanted to register a no vote. I just don't think it's a good idea to change the appointment of a Tax Review Commission to every ten years instead of five. I think this is an area that deals with our economy in some way. It's moving so fast in Hawaii in terms of how things are expensive and what not, and we need to keep where it's at right now."

Representative Meyer rose to speak in opposition to the measure, stating:

"I'd also like to register a no vote. They meet every five years now and they give a very comprehensive report. The Legislature quite often doesn't pay any attention to it, but with the accumulated five year report, I think things begin to have more weight so I don't want to see that changed. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 675, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE HAWAII CONSTITUTION, TO CHANGE THE APPOINTMENT OF THE TAX REVIEW COMMISSION TO EVERY TEN YEARS," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Evans, Finnegan, Meyer, Pine and Ward voting no, and with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1453) recommending that S.B. No. 1068, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1068, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1454) recommending that S.B. No. 1113, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1113, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"I rise in strong support of this measure and I would like to put some written comments into the Journal. This is a Women's Caucus bill that I think is very important for all of us. And it's a way for us to use new technology in the field of locating missing persons."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, the 21st Century continues to bring us technologies that increase our capacity to do good in this world. As a State, we should incorporate new technologies into fields where the betterment of people will take place. One field where new technology can, and should be used is in the field of locating missing persons.

"This bill, Mr. Speaker, authorizes law enforcement agencies to use sophisticated technology and databases to solve missing persons and other cases. In addition, this bill protects our children and improves the State of Hawaii's existing procedures to locate missing persons.

"Through national databases and DNA, missing persons can be found faster and families can find closure sooner. I urge my colleagues to support this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1113, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1455) recommending that S.B. No. 1184, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1184, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," was

referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1456) recommending that S.B. No. 1672, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1672, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1457) recommending that S.B. No. 966, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 966, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1458) recommending that S.B. No. 750, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 750, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1459) recommending that S.B. No. 1920, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1920, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Berg rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I rise to request a ruling on a potential conflict with 1459. This is my other career, and I'm also a teacher in the performing arts field," and the Chair ruled "no conflict."

Representative Berg then asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1920, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1460) recommending that S.B. No. 1438, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1438, SD 2, HD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1461) recommending that S.B. No. 1823, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1823, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1462) recommending that S.B. No. 1816, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Takamine and Thielen being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1463) recommending that S.B. No. 1931, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1931, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Sonson and Shimabukuro, for the Committee on Labor & Public Employment and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1464) recommending that S.B. No. 1780, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1780, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support of this bill with some reservations. I wanted to just ask the next Committee, which is Finance, to strongly consider the insertion of language that service providers, in this bill, show evidence of compliance with the federal Unemployment Tax Act. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1780, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1465) recommending that S.B. No. 1642, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1642, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1642, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1466) recommending that S.B. No. 1950, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1950, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"I stand with reservations on Stand. Com. Rep. No. 1466. Thank you. I think this bill has a lot of merit. There's one thing missing that I hope gets addressed as it moves along. This is a bill that is dealing with our upcoming problem of the shortage of qualified people for certain positions. This actually is I think, being promoted by SHOPO and the police department because they're having so many issues filling their positions.

"What they're finding is we have a lot of people of retirement age, and this is true across all of government in Hawaii. What's happening is these people retire, and they find they can't find a qualified workforce, so they want the ability to hire back people who have retired. This is what this bill is addressing.

"I think it's better than when we originally got it because we've now amended it to say it's only to fill critical positions, to fill our labor shortage positions. So they should try to have a test before they go out. Because I think people need to remember that these people will be retired and will have full retirement benefits and their retirement paycheck coming in. Then they can go back to work and then they get paid to do that.

"My biggest concern was that people can leave and come back, get all the benefits and actually make more money for the same job that they had before retirement. In the bill now, they have to wait one calendar year before returning to government employment. The thing I would like to see and ask as it moves forward is that I'd like to see that it people do get hired, it's 'at will'. So that when people come in they know that if they find someone, if there are other people that are available who qualify, that they really be employed 'at will'.

"The way this bill is structured now is they're protected by the union. They will be a union member when they come back in because that's written in the bill too. I just want to make sure that if they come back on a contract, that in it, it really says that they're 'at will' because the whole point is we need to move people in Hawaii, up the career ladder. We have to retrain people, send them back and I want to make sure that people have upward mobility in our State and that the retirees don't go in and get comfortable. The reality is that they're there because there's a work shortage. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1950, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1467) recommending that S.B. No. 17, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 17, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1468) recommending that S.B. No. 1779, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1779, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1469) recommending that S.B. No. 1932, SD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1932, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Green and Evans, for the Committee on Health and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1470) recommending that S.B. No. 153, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 153, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL DISASTER PREPAREDNESS IN HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1471) recommending that S.B. No. 53, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 53, entitled: "A BILL FOR AN ACT

RELATING TO MARRIAGE AND FAMILY THERAPISTS," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1472) recommending that S.B. No. 600, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1473) recommending that S.B. No. 1678, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1678, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL REIMBURSEMENT," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1474) recommending that S.B. No. 1916, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1916, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1475) recommending that S.B. No. 1084, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1084, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1476) recommending that S.B. No. 1711, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1711, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Magaoay and Waters, for the Committee on Legislative Management and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1477) recommending that S.B. No. 331, SD 3, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 331, SD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DATA AND INFORMATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1478) recommending that S.B. No. 959, SD 2, HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 959, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1479) recommending that S.B. No. 1163, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1163, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CHILDREN'S TRANSITION TO ADULTHOOD," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1480) recommending that S.B. No. 156, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 156, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 156, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1481) recommending that S.B. No. 948, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 948, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Bertram rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 948, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO REDUCE THE NUMBER OF NOMINEES FOR JUDICIAL VACANCIES," passed Second Reading and was referred to the Committee on Finance with Representative Finnegan voting no, and with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1482) recommending that S.B. No. 1499, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1499, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1483) recommending that S.B. No. 1154, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1154, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1484) recommending that S.B. No. 781, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 781, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1485) recommending that S.B. No. 796, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 796, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1486) recommending that S.B. No. 798, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 798, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1487) recommending that S.B. No. 917, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 917, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1488) recommending that S.B. No. 932, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 932, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1489) recommending that S.B. No. 914, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 914, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1490) recommending that S.B. No. 1112, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1112, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, current community based programs are less costly and more effective than incarceration and are a better solution to prison over-crowding

for women offenders than sending prisoners to mainland prisons. Nevertheless, the current gender-responsive community based programs for women and girls in the State are inadequate. This bill appropriates funds to the Department of Public Safety and the Office of Youth Services for the expansion of gender-responsive community based programs for women and girls.

"Mr. Speaker, incarcerating women and girls in environments that are designed primarily for men and boys without appropriate programming to address their needs has resulted in recidivism caused primarily by parole violations and minor offenses. Women and girls need comprehensive reentry services and community wrap-around services with case management services. Effective programs link substance abuse, criminal justice, public health, housing, and employment services.

"I urge my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1112, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1491) recommending that S.B. No. 1174, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1174, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, Hawaii has more than 6,000 people behind bars – with more than 1,900 serving their sentences abroad. It is estimated that there are around 6,665 children who have parents incarcerated within our system. Research shows that children who have incarcerated parents suffer strong emotional reactions and are up to six times more likely of becoming a part of the criminal justice system themselves.

Mr. Speaker, this bill seeks to help reduce those numbers. This program supports the expansion of parent-child interaction programs such as the SKIP program, at other State correctional facilities to facilitate appropriate child visitation of incarcerated parents. These programs strengthen family relationships and have a positive effect on preventing recidivism. Mr. Speaker, in the words of one of the testifiers on a similar bill who is with the Makua Keiki Program:

> "This program is such a valuable and important resource for families of incarcerated parents. It gives them hope and an opportunity to become functioning, loving, nurturing fathers, mothers and/or parents. It empowers people and families who are at rock bottom and believe the only alternative left to them is hurt and pain and to lash out at others. It is a lifeline, to better, secure, loving relationships. It empowers families and communities, and society."

"I urge all of my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1174, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1492) recommending that S.B. No. 1968, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1968, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1493) recommending that S.B. No. 1969, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1969, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1494) recommending that S.B. No. 1425, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1425, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1495) recommending that S.B. No. 1946, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1946, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1496) recommending that S.B. No. 1943, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1943, SD 2, HD 1, pass Second Reading and be referred to the Committee on Agriculture, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1943, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY,"

passed Second Reading and was referred to the Committee on Agriculture with Representatives Takamine and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1497) recommending that S.B. No. 1756, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1756, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1498) recommending that S.B. No. 1219, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1219, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Berg rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1219, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary with Representative Berg voting no, and with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1499) recommending that S.B. No. 96, SD 3, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 96, SD 3, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Bertram rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm voting with reservations on this bill. I just wanted to see that we consider the random drug testing along with reasonable suspicion. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 96, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was referred to the Committee on Finance with Representative Bertram voting no, and with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1500) recommending that S.B. No. 1928, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1928, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1501) recommending that S.B. No. 1412, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1412, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1502) recommending that S.B. No. 188, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 188, SD 2, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I support SB 188, SD2, HD1, which modifies the Small Business Regulatory Flexibility Act by improving the procedures by which rules that impact small businesses are reviewed. This bill would increase the probability that proposed rules that would adversely impact small businesses would be caught early in the process and be modified so as to minimize or eliminate the unintended consequences. Since small businesses are the economic engine that drives most of our State's economy, we need to be diligent in protecting them. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 188, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1503) recommending that S.B. No. 707, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 707, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A NEW MARKETS TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1504) recommending that S.B. No. 898, SD 1, as amended

in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 898, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY TAX INCENTIVES," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1505) recommending that S.B. No. 1688, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1688, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Yamashita and Yamane, for the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1506) recommending that S.B. No. 1249, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 1249, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1249, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Yamashita and Yamane, for the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1507) recommending that S.B. No. 1922, SD 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1922, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1508) recommending that S.B. No. 1176, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1176, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1509) recommending that S.B. No. 603, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 603, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1510) recommending that S.B. No. 613, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 613, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representatives Takumi and Morita, for the Committee on Education and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1511) recommending that S.B. No. 871, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 871, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Second Reading and was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1512) recommending that S.B. No. 1804, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1804, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have some reservations on Stand. Com. Rep. No. 1512. It has to do with the special fund and the fees that will be charged, whether there's really a nexus between the two."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1804, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," was referred to the Committee on Finance with Representatives Takamine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Takamine and Thielen were excused.)

THIRD READING

S.B. No. 56, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 56, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Third Reading by a vote of 48 ayes to 1 no, with

Representative Evans voting no, and with Representatives Takamine and Thielen being excused.

S.B. No. 1260, SD 2:

Representative Caldwell moved that S.B. No. 1260, SD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On this measure, I stand in strong support. This measure will help the community on Kahuku and especially the North Shore. It will provide $950,000 in assistance for Kahuku Hospital from March until the end of the Session.

"There's a lot of discussion regarding the Hawaii Health System that we had this morning. But you have to reassure yourself that this is a measure that is going to help us on the North Shore as we move forward in this legislative process.

"The bill that we have in front of us is a clean bill. We approve it and it goes straight up to the Governor, and the money will be released. This is a coming together of the community and the Department of Health, Dr. Fukino. I want to thank them and also the Lingle Administration. Also to Representative Meyer and Senator Hee. It's a collaborative effort as we work together since before Session started, last fall of 2006. It's a coming together as a community.

"There are two parts of the step for us to be successful. So I'm asking the body of this Chamber to support me as we move forward. Because we have other areas that we have to look within this good State that we have in Hawaii, but this is one measure for us on the North Shore to provide a critical service that we need to help our community."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in strong support. Mr. Speaker, I've had the privilege of providing social work services out in that community since 1999. I've dealt with children and families as far as Shark's Cove all the way down to Waimanalo. And this Hospital is a needed hospital out there.

"This is definitely a place where not only people and those with medical needs can come to, but also where the community come and can gather. The Hospital used to be a place where they housed the Children's Community Council meetings once a month in which providers were able to come and work together to provide the needs for our children. So I stand in strong support. Thank you."

Representative McKelvey rose in support of the measure, stating:

"In strong support, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"In strong support. I think that this measure is something we can all be proud of, and I'd like to ask that the words of the Representative from North Shore be incorporated as my own," and the Chair "so ordered." (By reference only.)

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, I think I expressed myself yesterday on Second Reading. We are extremely grateful that the Legislature has moved on this as quickly as it has. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in strong support of this, and may the words from the Representative from the North Shore be inserted as my own," and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"I'm in strong support."

The motion was put to vote by the Chair and carried, and S.B. No. 1260, SD 2, entitled: "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL," passed Third Reading by a vote of 49 ayes, with Representatives Takamine and Thielen being excused.

At 12:57 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 56, SD 1, HD 1
S.B. No. 1260, SD 2

ANNOUNCEMENT

Representative Ching: "I did just want to make one announcement. On Monday, March 26, we all enjoy our holiday, this celebration of Prince Jonah Kuhio Kalanianaole. It's celebrated because of Prince Kuhio who was born in Koloa, Kauai, the youngest son of High Chief Kahanoe Houli Piikoi and Princess Kekamiki.

"Prince Kuhio was known as *ke alii makaainanan*, citizen prince. He was to become king when the monarchy was overthrown in 1893. However, he died of heart disease, January 7 at the age of 50. He was buried in my district, in Maunaala, the Royal Mausoleum of Nuuanu valley.

"He was best remembered for his successful effort to encourage Congress to pass the 1920 Hawaiian Homes Commission Act which provides homesteads. It was his dream to save the rapidly declining Hawaiian race from extinction, and his plan was to return tenement dwellers to the land and encourage them to be self-sufficient. And I just want to make that announcement. Monday is Prince Kuhio Day."

ADJOURNMENT

At 12:59 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Tuesday, March 27, 2007. (Representatives Takamine and Thielen were excused.)

THIRTY-NINTH DAY

Tuesday, March 27, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Jeff Mueller of Good Shepherd Lutheran Church, after which the Roll was called showing all members present with the exception of Representatives Finnegan, Luke, M. Oshiro, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Eighth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 444 through 456) were received and announced by the Clerk:

Sen. Com. No. 444, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bill:

S.B. No. 920, SD 1, HD 1

Sen. Com. No. 445, transmitting H.B. No. 613, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 446, transmitting H.B. No. 657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 447, transmitting H.B. No. 853, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 448, transmitting H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 449, transmitting H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 450, transmitting H.B. No. 1204, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 451, transmitting H.B. No. 25, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 452, transmitting H.B. No. 158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 453, transmitting H.B. No. 389, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 454, transmitting H.B. No. 1253, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 455, transmitting H.B. No. 1423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," which passed Third Reading in the Senate on March 23, 2007.

Sen. Com. No. 456, transmitting H.B. No. 1513, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," which passed Third Reading in the Senate on March 23, 2007.

Representative Caldwell moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative B. Oshiro and carried: (Representatives Finnegan, Luke, M. Oshiro, Takamine and Thielen were excused.)

H.B. No. 25, HD 1, SD 1	H.B. No. 1253, HD 1, SD 1
H.B. No. 158, SD 1	H.B. No. 1423, SD 1
H.B. No. 389, HD 1, SD 1	H.B. No. 1513, HD 1, SD 1

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Magaoay introduced members of the North Shore 4-H Club: Kalen Hong, Taylor Hong, Lorraine Smith, Tanner Smith, Jessica Smith, Kayla Smith, Pomai Darlington, Michael Kea, Justine Robello, Jasmine Robello, Kaui Alpaca and Presley Vanderstrom. They were accompanied by their leaders, Ms. Verna Egaris and Mr. Richard Fisher; and parents, Ms. Robyn Harvest, Mr. Greg Smith, Ms. Katie Darlington, Ms. Joann Robello, Ms. Carrie Robello and Ms. Monique Vanderstrom.

Representative Shimabukuro introduced her staff member and University of Hawaii Board of Regents member, Mr. Mike Dahilig.

Representative Manahan introduced and welcomed the members of TeenPact 2007:

Students: Cade Brown, Justin Burbage, Josh Duncan, Cameron Hughes, Kristin Hughes, Andrew Kemp, Thomas Kenney, Christina Kenney, Scott Landro, Nina Maritinez, TJ Metcalf, Tyler Rits, Brittany Rits, Justin San Nicolas, Jeremy San Nicholas, Grace Shimabukuro and Rachel Smith. Not in attendance were Sean Arakawa and Christian Jacky

Staff: Kiana Bieber, Emily Metcalf, Bryn Pierce, Jared Solid, Boe Surbeck-Program Director, Robin Metcalf - State Coordinator and Mr. Bill Jack - Guest Director,

Representative Ward introduced, Ms. Adrian King, a member of the Hawaii State Bar.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
202	Committee on Labor & Public Employment

210	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

H.C.R. Nos.	Re-referred to:
77	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Legislative Management, then to the Committee on Finance
263	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
992, SD1, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
1146, SD2	Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 289) was announced by the Clerk and the following action taken:

H.R. No. 289, entitled: "HOUSE RESOLUTION RECOGNIZING THE INTERNATIONAL AND NATIONAL ACCOMPLISHMENTS OF THE UNIVERSITY OF HAWAII AT MANOA'S ATHLETICS PROGRAM," was jointly offered by Representatives Brower and Takai.

Representative Brower moved that H.R. No. 289 be adopted, seconded by Representative Takai.

Representative Brower introduced and commended the athletes and staff who were seated on the floor of the House:

Ms. Marilyn Moniz-Kaho'ohanohano, Assitant Athletic Director representing the Rainbow Wahine Athletics Program celebrating its 35th year anniversary.

Warrior Football Head Coach June Jones, Western Athletic Conference Coach of the Year; and All-American Quarterback Colt Brennan representing the Warrior Football Team.

Retiring Rainbow Warrior Basketball Head Coach Riley Wallace who was not in attendance, represented by his wife, Mrs. Joan Wallace, and Assistant Coach Bob Nash.

Representative Takai then recognized and honored University of Hawaii All-American Swimming and Diving athletes: Ms. Megan Farrow, Mr. Magnus Frick and Mr. Mats Wiktorsson, who were seated on the floor of the House.

Representative Takai also introduced Mr. Herman Frazier, Athletic Director; Mr. Mike Brown, Head Diving Coach; Ms. Anita Rosing, Diving Coach; and Ms. Chacha Kinilau, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 289 was adopted with Representatives Finnegan, Luke, Nakasone, M. Oshiro, Takamine and Thielen being excused.

The following resolution (H.R. No. 290) was announced by the Clerk and the following action taken:

H.R. No. 290, entitled: "HOUSE RESOLUTION CONGRATULATING THE UNIVERSITY OF HAWAII WILLIAM S. RICHARDSON SCHOOL OF LAW ENVIRONMENTAL LAW PROGRAM FOR ITS OUTSTANDING WORK AND ACHIEVEMENTS IN THE FIELD OF ENVIRONMENTAL LEGAL EDUCATION AND FOR WINNING THE 2006 AMERICAN BAR ASSOCIATION AWARD FOR DISTINGUISHED ACHIEVEMENT IN ENVIRONMENTAL LAW AND POLICY," was jointly offered by Representatives Belatti, Marumoto, Takai, Finnegan, Meyer, Rhoads, Say and Shimabukuro.

Representative Belatti moved that H.R. No. 290 be adopted, seconded by Representative Morita.

Representative Belatti recognized the University of Hawaii William S. Richardson School of Law, and introduced the following honorees who were seated on the floor of the House:

Mr. Aviam Soifer, Dean of the William S. Richardson School of Law;

Ms. Casey Jarman, Associate Professor; and

Former Chief Justice William S. Richardson.

Representative Morita further commended the William S. Richard School of Law Environmental Program on receiving the American Bar Association award, and introduced the friends and alumni of the School of Law, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 290 was adopted with Representatives Finnegan, Luke, Nakasone, M. Oshiro and Thielen being excused.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Marumoto introduced Mr. David Nixon, Associate Professor of Social Sciences at the Public Polity Center, University of Hawaii at Manoa.

At 12:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:02 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1513), recommending that H.R. No. 134, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A ONE-TO-ONE COMPUTER ACCESS PROGRAM WITHIN THE STATE PUBLIC SCHOOL SYSTEM," was referred to the Committee on Finance with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1514), recommending that H.C.R. No. 171, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A ONE-TO-ONE COMPUTER ACCESS PROGRAM WITHIN THE STATE PUBLIC SCHOOL SYSTEM," was referred to the Committee on Finance with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1515), recommending that H.R. No. 194, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 194, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A MULTIMEDIA ACCELERATED LEARNING TECHNOLOGY PILOT PROGRAM IN PUBLIC SCHOOLS," was referred to the Committee on Finance with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1516), recommending that H.C.R. No. 243, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A MULTIMEDIA ACCELERATED LEARNING TECHNOLOGY PILOT PROGRAM IN PUBLIC SCHOOLS," was referred to the Committee on Finance with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1517), recommending that H.R. No. 125, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 125, entitled: "HOUSE RESOLUTION EXPRESSING THE SENSE OF THE LEGISLATURE THAT THE STATE SHOULD IMMEDIATELY COMMENCE EMINENT DOMAIN PROCEEDINGS FOR KUKUI GARDENS," was referred to the Committee on Finance with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1518), recommending that H.C.R. No. 158, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SENSE OF THE LEGISLATURE THAT THE STATE SHOULD IMMEDIATELY COMMENCE EMINENT DOMAIN PROCEEDINGS FOR KUKUI GARDENS," was referred to the Committee on Finance with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented two reports:

(Stand. Com. Rep. No. 1519), recommending that H.R. No. 162, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1520), recommending that H.C.R. No. 204, be referred to the Committee on Judiciary.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 162 and H.C.R. No. 204, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of these measures. Mr. Speaker, human trafficking is a problem that plagues our world. Every year we hear of more cases in which people were taken from their families and countries and shipped to places where they are used and abused. Fortunately, there is help for these people in the United States. Unfortunately, the process to get help takes too much time for some.

"Because certification often requires a considerable length of time to process, typically six months, there is the need for pre-certification victim services from the time that individuals are identified as trafficked persons until they are certified by federal law enforcement. It is during this time trafficked persons may experience the greatest need for services.

"These Resolutions request the Department of Human Services to assess needs and facilitate provision of social services to non-citizen victims of human trafficking. These Resolutions help those who are in dire straits and can give them hope. I urge my colleagues to support these Resolutions. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 162, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was referred to the Committee on Judiciary with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was referred to the Committee on Judiciary with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1521) recommending that H.R. No. 59, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was adopted, with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1522) recommending that H.C.R. No. 83, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," was adopted, with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1523) recommending that S.B. No. 1006, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1006, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Evans, Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen were excused.)

THIRD READING

S.B. No. 14, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 14, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Ward offered Floor Amendment No. 3, amending S.B. No. 14, SD 1, HD 1, as follows:

SECTION 1. Senate Bill No. 14, Senate Draft 1, House Draft 1, is amended by amending Section 1 to read as follows:

"SECTION 1. The purpose of this Act is to establish a candidate advisory council for the board of regents of the University of Hawaii in conformity with the amendment to article X, section 6 of the Hawaii State Constitution, ratified by the voters on November 7, 2006. This Act also:

(1) Increases the membership of the board of regents of the University of Hawaii;

(2) Prohibits a board of regents member from serving more than two consecutive five-year terms; and

(3) Requires the senate to consider the reconfirmation of an incumbent board member for a second term at least one hundred twenty days prior to the conclusion of the member's first term.

Additionally, the legislature renews its previously stated intent, as provided in Senate Bill No. 1256 (2005), that "the existing members of the board of regents of the University of Hawaii serve their full terms of office. As each term expires, the regent will be replaced by an appointed member screened and proposed by the candidate advisory council . . ." as provided in this Act.

SECTION 2. Senate Bill No. 14, Senate Draft 1, House Draft 1, is amended by amending Section 2 to read as follows:

SECTION 2. Chapter 304A, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"**§304A- Candidate advisory council for the board of regents of the University of Hawaii.** (a) There is established the candidate advisory council for the board of regents of the University of Hawaii to present to the governor pools of qualified candidates from which the members of the board of regents shall be nominated and, by and with the consent of the senate, appointed by the governor. The candidate advisory council shall establish the criteria for qualifying, screening, and presenting to the governor candidates for membership on the board of regents. The candidate advisory council shall be attached to the University of Hawaii for administrative purposes.

(b) Except as provided in subsection (c), within sixty days of convening its first meeting, the candidate advisory council shall present no fewer than two and no more than four qualified candidates to the governor for each vacant seat on the board of regents that has arisen due to resignation, death, or removal by the governor; provided that for all subsequent presentations to the governor, the candidate advisory council shall present no fewer than two and no more than four candidates for each seat on the board of regents to the governor within:

(1) Thirty days of a vacancy that arises by resignation, death, or removal by the governor; or

(2) One hundred twenty days prior to the expiration of a term.

(c) In making its presentations, the candidate advisory council shall:

(1) Develop a statement that includes the selection criteria to be applied and a description of the responsibilities and duties of a member of the board of regents and distribute this statement to potential candidates;

(2) Screen and qualify candidates for each position on the board of regents based on their background, experience, and potential for discharging the responsibilities of a member of the board of regents;

(3) Publicly advertise pending vacancies and actively solicit and accept applications from potential candidates;

(4) Develop and implement a fair, independent, and nonpartisan procedure for selecting candidates to serve on the board of regents; and

(5) Require each candidate to disclose any existing or anticipated contracts with the University of Hawaii or any existing or anticipated financial transactions with the University of Hawaii.

Upon submission to the governor, presentations of the candidate advisory council shall be made available to the public by the University of Hawaii.

(d) For each board seat to be filled, the governor shall select one nominee from among the candidate advisory council's presentations.

(e) The candidate advisory council shall consist of seven members to be appointed without regard to section 26-34 as follows:

(1) Two members shall be appointed by the president of the senate;

(2) Two members shall be appointed by the speaker of the house of representatives; and

(3) Three members shall be appointed by the governor;

provided further that each appointee satisfies the requirements for appointment provided in this subsection.

The candidate advisory council shall be selected in a wholly nonpartisan manner. If any member has not been appointed within one hundred eighty days of the effective date of this Act, the sitting members on the candidate advisory council shall make an interim appointment to fill the vacant seat. The interim appointee shall satisfy the requirements for appointment provided in this subsection and shall serve until the time when the appropriate appointing authority makes an appointment for the vacant seat as provided in this subsection. Appointees to the candidate advisory council shall have a general understanding of the purposes of higher education, the mission of the University of Hawaii system, and the responsibilities of the board of regents. Appointees shall be individuals who are widely viewed as having placed the broad public interest ahead of special interests, having achieved a high level of prominence in their respective professions, and being respected members of the community.

(f) Members of the candidate advisory council shall serve four-year terms; provided that one of the members initially appointed by the governor, the president of the senate, and the speaker of the house of representatives shall serve for terms of two years; provided further that terms for appointments of the initial members of the candidate advisory council shall be deemed to begin on July 1, 2007, regardless of the actual date of appointment.

(g) If a vacancy occurs, a successor shall be appointed in the same manner and subject to the same qualifications as the person's predecessor. The person appointed to fill a vacancy shall serve for the remainder of the term of the person's predecessor.

(h) The candidate advisory council shall operate in a wholly nonpartisan manner. No individual, while a member of the candidate advisory council, shall run for or hold any elected office under the United States or the State or any of its political subdivisions.

(i) The candidate advisory council shall convene its first meeting on or after thirty-one days from the effective date of this Act; provided that, if thirty days after the effective date of this Act, all the members to which the candidate advisory council is entitled have not yet been appointed, the candidate advisory council shall convene its first meeting upon the appointment of a majority of its members. The members of the candidate advisory council shall choose a chairperson from among themselves. A majority of all the members to which the candidate advisory council is entitled shall constitute a quorum to conduct business. The concurrence of a majority of all the members to which the candidate advisory council is entitled shall be necessary to make any action of the candidate advisory council valid. The candidate advisory council shall meet annually and at other times as necessary. The candidate advisory council shall be exempt from part I of chapter 92.

(j) Members of the candidate advisory council shall serve without compensation but shall be reimbursed for expenses, including travel, board, and lodging expenses, necessary for the performance of their duties."

SECTION 3. Senate Bill No. 14, Senate Draft 1, House Draft 1, is amended by amending Section 3 to read as follows:

SECTION 3. Section 26-11, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The University of Hawaii shall be headed by an executive board to be known as the board of regents.

The board shall consist of [~~twelve~~] fifteen members. [~~No more than six of the members shall be members of the same political party and at least part of the membership of the board shall represent geographic subdivisions of the State.~~] At least one member shall be a University of Hawaii student at the time of the initial appointment. This member may be reappointed for one additional term even though the member may no longer be a student at the time of reappointment. The governor shall reduce the terms of those initially appointed to each seat on the board of regents to provide, as far as practicable, for the expiration of three terms each year; provided that the term of the student member shall not be reduced.

The board shall have the power, in accordance with the Constitution of the State and with law, to formulate policy[~~,~~] and to exercise control over the university through its executive officer, the president of the university. The board shall have exclusive jurisdiction over the internal organization and management of the university."

Representative Ward moved that Floor Amendment No. 3 be adopted, seconded by Representative Meyer.

Representative Ward rose to speak in support of the proposed floor amendment, stating:

"I rise in support of the amendment. Everyone's asking in their mind, why does this bill need to be amended? I submit four very brief reasons, Mr. Speaker.

"Reason number 1, good news, bad news. The good news is that this legislation in question would implement the constitutional amendment passed last fall requiring the Governor to use a Candidate Advisory Council in the selection of a nominee to the Board of Regents. The good news is that the use of such Councils is considered a best practice by the Association of Governing Boards. That's the highest level that universities respond to.

"The bad news is that S.B. 14 is a 'Noah's Ark' in a full house of 'me too-ism' that politicizes the selection process. We further believe, this is a quote from the Association of Governing Boards. It says, 'We further believe that the governing board should not have designated slots because the public citizen trusteeship should be comprised of outstanding citizens who are independent in their individual and collective judgment. They should be there to serve the people of the state, not segments of the state or special interest.' It follows that, 'An advisory council or screening committee should not be composed of a collection of special interest representatives,' which leads to reason number 2, why this bill should be amended.

"In 2005 enabling legislation, essentially like S.B. 14, was vetoed by the Governor and those opposed to the adoption of the amendment last fall. It does not represent real reform, but rather another example of questionable practices endorsed by a legislature. Truths that are inconvenient remain true, nonetheless. We need best practice governance. The 'Noah's Ark' style of approach of S.B. 14 should be rejected by the House and replaced with a Governor-appointed Candidate Selection Committee, which leads to reason number 3, why this amendment should be passed.

"Because everything I just said, Mr. Speaker, is not Gene Ward, not the Representative from Hawaii Kai. It's the words of the President of the University of Hawaii, Mr. David McClain, and the Governing Association of Governing Boards. And I believe he is an authority on the University and I believe he is the same one we honored here, which leads to my final reason. We honor the University of Hawaii today, again, for the excellence, the heroes they brought. June Jones, Colt Brennan, all of the good things that are happening.

"The system has worked, the University has worked. It's producing good people. There are not constituents grousing about the DOE, the way they would be if the UH wasn't working. The point is, if it ain't broke, don't fix it. With this amendment, we'll fix what's broken in this bill."

Representative Meyer rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in support of the amendment. This amendment would do two things. It would amend Section 2, subsection (e). Instead of having the Governor participate only at about 14% as far as getting appointing somebody to the Advisory Board, it would change the makeup. The Governor would be able to appoint three members, rather than one. The President of the Senate and you, Mr. Speaker, would appoint two, making it more of an equitable balance there.

"This is a bit of a compromise, but I think it's a wise one. It gives the legislative members, the leadership, about 57% participation and the Governor about 43%, whereas, under the Constitution prior to it being amended, the Governor had 100% say as to who she would look at as possible Regents.

"The other amendment is in Section 3, subsection (a). The underlying bill sets up requirements that Board of Regent candidates must come from various geographical areas, further segmenting people that could serve on the Board. We've eliminated that and so there is not that requirement anymore.

"Others have talked about Richard Legon who is president of the Association of Governing Boards, and he makes it clear in his testimony. He says the Governing Board should not have designated slots and that's what these geographical representatives would be. You know, you would have the people on the Big Island fighting for things for Hilo and more money to start up a for-real college in Kona. You know, just sort of 'Balkanizing' the process.

"The thing that we need in a Regent is truly outstanding people who are independent and public minded, and looking out for the interest of the University System in totality. Our concern with the bill and why we have brought forth this amendment is we think the way it is outlined in S.B. 14, HD 1 goes way too far in politicizing the process and having the Governor appoint Regents.

"We did not change some of the other things. They are raising the membership on the Board of Regents from 12 to 15, and a lot of the other things, processes that are spelled out in this enabling legislation. I think that the general public, when they voted on the amendment to the Constitution, really didn't have a clear picture as to how the process would work in the first place, and the enabling legislation, while something was passed last year, it was vetoed. I think that it's very hard for people to know exactly what's going on in this building, and I don't think they had all the facts when they voted on that. I'll just leave it at that for now. Thank you."

Representative Takai rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in opposition to this floor amendment. The two prior speakers talked about politicizing the selection process. I submit to you, Mr. Speaker, that the current process where the Governor chooses her Regents is very political. And, in fact, if you take a look at their floor amendment in front of us, their suggestion, to me, is political. Two members appointed by the President, two members appointed by the Speaker, and three members appointed by the Governor. I don't think you can get any more political than that.

"In fact, Mr. Speaker, if you take a look at the underlying bill, S.B. 14, H.D. 1, you will notice that we purposely created the Candidate Advisory Council with balance. Three elected officials appointing three members; the Senate President, the House Speaker and the Governor. And we have four more or a clear majority of the Candidate Advisory Council being appointed by the Faculty Senate, by the Student Caucus, by the Emeritus Regents, and by the Alumni Association. If you take a look at our proposal, Mr. Speaker, I think that our proposal is the farthest thing from politicizing the selection process.

"Two years ago, Mr. Speaker, in the 2005 Session, we passed not only the constitutional amendment bill, but we also passed the codifying language, S.B. 1257. In her objections to S.B. 1257, the Governor wrote to us that if the constitutional amendment as proposed and S.B. 1256 is ratified, the statutory changes described in this bill could be introduced as legislation in the 2007 Session and enacted in time to meet the new constitutional requirements.

"I bring this up, Mr. Speaker, because I think the voters of this State knew very clearly what they were voting on. We let the voters decide and they've decided that we are going to create a Candidate Advisory Council with the intent of the Legislature in 2005. And which I believe today is reflected in S.B. 14 which suggests that these Candidate Advisory Councils will be comprised of these individuals selected by the seven constituencies.

"In addition, Mr. Speaker, I don't know what the introducer or the supporters of the floor amendment were thinking, but the idea of eliminating the geographic requirements for certain Regents confounds me. If you take a look at page 10 on S.B. 14, the underlying bill, right now we allow for two members from the county of Hawaii, two members from the county of Maui, and one member from the county of Kauai, and seven members from the City and County of Honolulu, with three additional members being selected at large. The University of Hawaii is a State institution. It's comprised of ten campuses, statewide. Why, then, would someone suggest that we eliminate the geographic requirements for these certain Regents? I don't understand.

"The introducer of this amendment also talked about our recognition of the University on it's 100th anniversary, and the floor presentations that we did today, as well. I submit to him, as well as other Members of this body, that the proposal that we have put forth in House Draft 1, would provide the University with the opportunity to flourish and move them into the second century of promise. I think the amendments that they provide in this floor amendment does otherwise.

"So, Mr. Speaker, I urge all Members to vote down this floor amendment and to move forward on the proposal in H.D. 1. Thank you."

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just wanted to request a ruling on a possible conflict of interest. My wife works for the company that's owned by one of the current Regents. Thank you," and the Chair ruled "no conflict."

At this time, the Chair called for the question.

Representative Meyer rose stating:

"Mr. Speaker, I think we have a few more speakers on our side. I'll yield to Representative Marumoto."

Representative Marumoto rose to speak in support of the proposed floor amendment, stating:

"Thank you very much. I rise to speak in favor of the amendment. I favor this amendment because it would eliminate designated slots. Mr. Richard Legon testified. He's the President of the Association of Governing Board of Universities and Colleges. He said that a constituent-based council may make it difficult for the council to recruit and screen regent candidates who possess the broad vision and qualities to lead Hawaii's higher education in the challenges ahead.

"Also, Ms. Barbara Beno, President of the Western Association of Schools and Colleges Accrediting Commission for Community and Junior Colleges, that oversees the accreditation process for the seven community colleges in the UH System, expressed reservations about

the proposed Advisory Board stating that, 'a constituency based advisory body could contribute to the politicization of governance at the University of Hawaii.' Thank you very much."

Representative Chang rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In opposition, and may I have the words of the Representative from Pearl City inserted as they were my own. And I have a few more comments.

"In 2006, the Legislature passed S.B. 1256 and as we know, the Governor vetoed it, calling it premature. The measure was reintroduced this year based on the voters' call for change. We want to respect and honor the voters' choice and realistically, Mr. Speaker, we have no other option. We have a responsibility to bring life to the expressed wishes of Hawaii's voters.

"The Constitution was amended to change the process and we have an obligation to act as agents for that change. With the support of this Senate, we have produced a solid, comprehensive, far-reaching bill. We gave an opportunity for interested parties to present concerns regarding our proposed Advisory Council as set forth in S.B. 14. When the Administration did not submit written testimony at the hearing on this bill, we contacted the Governor's education point person, her Senior Policy Advisor.

"We asked for the Governor's input on S.B. 14. Instead we received comments on S.B. 617, which had been introduced at the Governor's request stating that the Governor should choose the Council and appoint its Chairman. It was clear that they felt the Governor's wish to maintain control superseded the people's unequivocal call to remove politics from the equation. They continued to deny the need for change, ignore the call for change and opposed our efforts to bring about change.

"This bill stands for the reality of a Council of outstanding individuals who have a stake in our University System and rise above partisan politics and provincial concerns. The public has called for real change and S.B. 14, S.D. 1, H.D. 1, Mr. Speaker, delivers real change."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I just want to respond to some of the comments that have been made here. Various speakers have alluded to the fact that the voters knew what was in that bill that was vetoed. I think most of us who have served here for many years know that the general public rarely knows what bills are being argued down here. Only the people that would be directly affected. Even then, it doesn't happen, such as the bar owners who have lost 50% of their business because of something that went on here and they didn't even know it was happening. So, to think that the voters at-large knew anything about this bill that the Governor vetoed is just specious. It's just not a fact.

"I want to read the amendment description and the question that was put before the voters back in November of 2006. The amendment description is to amend Article 10, Section 6 of the Hawaii Constitution to modify the appointment process for the University of Hawaii Board of Regents by requiring the Governor to nominate candidates for the University of Hawaii Board of Regents from a list of individuals submitted by a Candidate Advisory Council for the Board of Regents of the University of Hawaii.

"The question on the ballot was, 'Shall the Governor be required to select Board of Regents candidates from a pool of qualified candidates screened and proposed by a Candidate Advisory Council for the Board of Regents at the University of Hawaii as provided by law?'

"It didn't say anything about how that Advisory Council would be chosen. It didn't say anything about the geographic slots that would be out there. It didn't say anything about how many people on that Advisory Board the Governor would be able to appoint. It didn't talk about the Candidate Advisory Council being free from the Sunshine Law. There's a whole lot of details that the public had absolutely no privileged information on. So, I would disagree with that.

"The question from the Representative from Pearl City about why would our amendment eliminate those geographical spots is that it limits the pool. It takes five Regents and says they must come, two from the Big Island, two from Maui, and one from Kauai. When you're looking for Regents, you're looking for the brightest you can find. You want people who are accomplished individuals, who are highly intelligent, who would want only the best for the University. Why would you want to limit that because they didn't live on one of those islands? What if you had some fabulous people here, but because now you have to pick these slots, you have to put these five aside. As far as the student member, we are … "

Representative Pine rose to yield her time, and the Chair, "so ordered."

Representative Meyer continued, stating:

"Thank you, Representative. We already have student representation with a student member on the Board of Regents. There's just too much politics. The idea that it's more political with the legislative leaders and the Governor. At least, they're looking out for the interest. When you have these further divisions, such as student members, faculty members, alumni members. These are constituencies that are looking out for their 'nitty gritty' stuff that they care about. The Regents are supposed to be way up here looking at a broad picture over the whole University System.

"I think that this amendment is a good compromise. It certainly is a compromise from the bill that the Governor preferred, so I think we are trying to look for a middle ground here. I just wanted to point out that under the system we've had for all these many, many years under many, many Governors, the Governor was responsible. The buck stopped there. She selected, Governor Cayetano, whoever, they always had a group of people who would recommend possible people for the Board of Regencies. But if they picked a 'lemon', you knew who took the blame. It was the Governor. With this system, we don't know where these names came from.

"And it still limits the pool. Under our amendment, we've kept much of the language of the underlying bill. The fact that the advisory group must send up two names, no more than four names, it's limiting, it's limiting our pool. And, again, as far as getting rid of the geographic representation, it's not that we allow for geographic representation. Our bill demands it. There's no wiggle room. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Thank you, Mr. .Speaker. Just to add on a couple of points. I think what we're bifurcating is professionalism and politicization. And the reason why we're citing the Association of Governing Boards is because they are the governing board of the universities who say what is the best practice. And granted, the amendment to the Constitution was the best practice. We're not arguing against the Advisory Council. That's the best thing to do. What the Governing Boards are saying, however, you don't politicize those and write them into the 'Noah's Ark', with a little bit here, and a little bit there.

"For example, if we had five Einsteins or Harlen Clevelands from Kauai. According to this bill, we couldn't appoint them because we didn't bifurcate according to the islands and regions. And the other reason why this bill may look political to some is because three out of seven was a compromise. If we went back to the normal, with the Governor appointing all 12, they say, 'That's unfair. You're being, we're being status quo.' But the reason why it looks like we still are ceding to the Majority and I can see they are really excited about this bill, is that we've got three out of seven, they've got the rest of them.

"So, that was a compromise, and if you want to say that's political, it's political, but be assured, Mr. Speaker, if I had a university in Hawaii Kai and I was a Regent and I didn't have money for my departments and I needed some of the things like Hilo, for sure I would politicize it by not voting for the UH System. I would vote for the Hawaii Kai University. And I think that is what this bill is trying to get away from.

"And, by the way, I'm not suggesting that we have one in Hawaii Kai, but if there was, this bill makes it perfect for my place, my interest to come first, rather than the State of Hawaii. And what we need are the scholars who would look at the big picture. Thank you, Mr. Speaker."

Representative Caldwell rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, brief comments in opposition. One, is we heard a lot today about politicizing the process. This bill, the underlying bill, if you look at (d) 4, it says, 'Develop and implement a fair, independent and nonpartisan procedure for selecting candidates to serve on the Board of Regents.' That's what this bill is all about, Mr. Speaker. And yet, we've heard from those who support the amendment, that somehow it's making it more political.

"In their argument they talk about the Governor having only 14% of the say, and that the Legislature had 57% and 43%. It sounds like a lot of politics here between the Executive Branch and the Legislative Branch. What we're trying to do under this bill, Mr. Speaker, is give everyone a one-seventh say. You, Mr. Speaker, pick one out of seven, and so forth for this Board. So, it's actually diminishing politics, and defusing power to those who are not politicians in elected office. That is a good thing if we're really going to bring about autonomy to the University of Hawaii. It seems like the other side is more concerned about the politics and trying to reserve as much power for the Governor in selecting the Regents. It's the wrong way to go, Mr. Speaker.

"The other thing is, somehow it's been implied that there aren't qualified people on the Neighbor Islands. That is somewhat shocking when you think about the fact that just last week, and they've talked about this, we honored the University of Hawaii for it's 100th Anniversary, and who sat on the floor right over here, Mr. Speaker? Mr. Robert Fujimoto, one of the great leaders from the Island of Hawaii and from Hilo. We need more Robert Fujimotos and there are Robert Fujimotos on every one of these islands, Mr. Speaker. The unfortunate thing is they're not selected. This bill would make sure that we pull from the diverse population of our State, and it is more representative.

"Just this Sunday, in the paper, it was pointed out that the Big Island, for example, is growing by 15%. The population is shifting. That needs to be recognized. And the talent from our Neighbor Islands has to be recognized. Why would we somehow think there aren't those qualified people there?

"And, finally, when they talk about electorate and whether they're qualified and know what they're voting on, I think we need to give more credit, and I think the majority of the members here give complete, absolute credit to the members who vote either for us, when we run, or on amendments, or on other bills or ordinances. They know what they're voting on. And anyone who can put down the electorate and somehow think that they aren't qualified and don't know what they're voting on, is, to me, very troubling in a democracy like ours.

"We heard our own Governor talk about letting the people decide. She was willing to allow those people to decide. We, here, the Majority, do accept the people's decision and we need to give them credit. They know what they're doing. Thank you, Mr. Speaker. I hope Members will vote down the amendment."

The motion that Floor Amendment No. 3, amending S.B. No. 14, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," be adopted, was put to vote by the Chair and failed to carry, with Representatives Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

(Main Motion)

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I just wanted to point out that the voters, again in 2006 voted for this. I believe the reason why they voted for this constitutional amendment was because they wanted to depoliticize the process of selecting the members of the Board of Regents. This measure does that and it does it quite well.

"In addition, Mr. Speaker, in 2005, as was mentioned before, we passed the bill, S.B. 1257, and the only reason why the Governor gaves for why she vetoed this particular measure was because she did not want to prejudice the electorate on voting for the constitutional amendment. I believe that the constitutional amendment we have before us will move the University forward.

"And the last point, Mr. Speaker, I would like to make is this. Over the past few years, the Board of Regents has been comprised of members throughout the community, distinguished members of our community, including faculty members, retired faculty members, including former students and student leaders.

"So, I believe that the way we're moving with this particular measure is going to depoliticize the process selection of the university's Board of Regents and once again move the University to greatness. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Mr. Speaker, today we had some All-Americans on the floor and I take inspiration from all people who make it their focus to decide that excellence is their top priority.

"I used to teach class at Maemae about some of the elements of what might help people in terms of coaching. And my father always taught me, keep your eye on the ball. So, when he actually did teach me baseball, he said, 'Corinne, when you're hitting with the baseball bat, keep your eye on the ball.' To me, this piece of legislation, when I think about what I know what my constituents have talked to me about, is that they want an excellent University. That's the goal. That's the destination. That's the prize. When you going to keep your eye on the prize, it's about an excellent University. Because with an excellent University, we have people who are going to stay in Hawaii and build our economy, etc. And so the reason I would believe that I would vote to depoliticize a process would be again, towards the ultimate goal, to keep an excellent University.

"We ask, why would the front linesmen, the person who I think wants an excellent University, the President, the current President of the University, would not be in favor of a measure, and those who are on the frontlines again, of excellent universities, do not endorse having a situation where they do break it up and maybe would limit flexibility, because that's not what most people who want excellent universities might do. That's why I asked. I wanted to know, what does the UC System do? Because I know a lot of my high school graduate friends went there. A lot of them went to UC Berkeley or the UC System. And then there's an NYU System, which is noted for it's excellence.

"The reason why I'm voting in opposition of this, Mr. Speaker, is because I think the ultimate goal, eye on the prize, is an excellent

University. So I want to vote for things that are going to accomplish that."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you. Mr. Speaker, I have some reservations on this measure. In selecting leadership for this State, I believe it's the purview of the Executive Branch. It's an Executive Branch function and I don't see the reason for the Legislature intruding on this function.

"The Governor selects her team or his team, the cabinet and other boards, commissions, leadership posts. I've seen a lot of bills that have intruded on this function. This year is kind of a creeping power grab. We have our checks and balances in control of the budget in Senate confirmation, and I don't think we have to also try and control the appointment process. For this reason, I wanted to express this deep reservation."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker. I rise in support. Just very briefly. I'd like to point out, the University has autonomy, and it's really not in the same stature or league as any other Executive agency, and so to make the comparison, I think is unfair. What we want from our University is an independent body that can truly guide itself towards excellence in education. And it's totally different than an administrative commission and/or board who are a part of the Governor's Cabinet. I don't think that that comparison is in any way meritorious."

Representative Ward rose to speak in support of the measure with reservations, stating:

"I rise in opposition for the very fact that what the argument is, what I hear the Majority arguing is in effect, what the data says is a bad argument. It doesn't work. I started my introduction as saying what the best practices are. What the good news is. What the bad news is, and the data says, is that's not the way to go. That's not the way the governing bodies of the universities of America are doing it. So, as policymakers, we want to have good drug policy. We want to have good affordable housing policies. We want to have good every-kind of policy, and we're saying is that the data says that this is bad policy. It's as simple as that, and it's no more than that. It's simply a bad practice, which those in the know and the professionals have said, because that's what the data says. It's a bad practice and that's what we're going to vote for."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"I'm rising in opposition to S.B.14. When this bill was heard in the Higher Ed Committee, the people that are probably the most affected and know more about it, presented testimony in opposition to this bill. From some of the comments we've heard from the other side, you might think that there was just unanimous accolades. That this is just a marvelous piece of legislation. Not so. President David McClain from the University of Hawaii testified against this. Mr. Ralph Wolf with the Western Association of Schools and Colleges, he said he didn't see any need for it. He's been overseeing the activities at the University, and checks on what the Regents are doing. There was no kind of mismanagement or any reason that we should suddenly have a full scale change of how things are done there.

"Ms. Barbara Beno, who is the President of the Western Association of Schools and Colleges, she, too, sent in testimony against this and showed all kinds of evidence that this is not the way to operate. And then finally, Richard Legon, President of the Association of Governing Board of Universities and Colleges, took the time to send testimony in trying to point out the very real problems with this new approach that we're looking at taking. So for those reasons, I will be voting no."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. We had a lot of debate, but I'd like to point out that, we're in Hawaii, and we're very unique from other states. We're an island state, and as a Neighbor Island legislator, I'm very pleased to see in this bill that we're looking at regional placements because the University is spread out across all the islands. We all have unique issues on our islands. On the Big Island where I am a Representative, we are very geographically challenged with the distances. I think having representation from the islands is very critical to what the future of our University is going to look like. I think we need that input, so I'm really pleased about that.

"The other thing is, I don't think anyone in this body should be surprised that other university leaders would comment that they don't particularly like this, because it's all about control. They're worried that the Legislature may be sticking their nose into how things are going to be managed by the University, but I think that's our job. I really do.

"I really am pleased that one of my colleagues pointed out that we try to give a lot of autonomy to the University, and that it was the Legislature that we gave that autonomy. But it's also our job to make sure that they' were looking at how the University is run, and how the money is being spent. We have a responsibility, I think, to comment on what the future of the University is going to look like.

"I would say that this bill is all about the longer term vision of the University. I think we get caught up in this very short term, right now, what's happening. I think we need to look at this bill in terms of what is going to happen with the University over the long term. This is good policy to go in this direction and have that regional input. Thank you."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"I just rise with reservations. I do support this bill. I have reservations mainly because of what the Representatives brought up about testimony from the University of Hawaii and others who I do respect. But I also respect the House's intent to 'shake things up'. I'm one who believes in things like that and so I appreciate this opportunity to actually to see what we can do to shake this up. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I'm sure you're getting tired of me popping up here, and I promise this is the last time. I just want to clarify one thing. The Representative from Waimea talked about university presidents testifying against this. Actually, the names that I had mentioned, only one of the four, was a university president, and that was David McClain. The others work for large organizations that oversee universities. Thank you."

Representative Marumoto rose to respond, stating:

"Very briefly, Mr. Speaker. It's my second time rising with reservations. The autonomy provision actually arose from the 1978 Constitutional Convention and I think the University was proposing it because they felt there was undue legislative influence. So that was just the genesis of this constitutional provision. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 14, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 42 ayes to 3 noes, with Representatives Ching, Meyer and Ward voting no, and with Representatives Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen being excused.

At 1:43 o'clock p.m., the Chair noted that S.B. No. 14, SD 1, HD 1, passed Third Reading.

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Rhoads introduced his wife, Mrs. Cindy McMillan.

Representative Meyer introduced Mr. John Radcliffe, lobbyist with the University of Hawaii Professional Assembly.

ANNOUNCEMENTS

Representative Shimabukuro: "The Rural Caucus is going to be having a meeting tomorrow in Room 414 from noon to 1:00 p.m. We'll be serving refreshments and we'll have speakers from the Department of Agriculture who will be talking about IAL and other agricultural related legislation this Session. It's tomorrow, Room 414, from noon to 1:00 p.m."

Representative Evans for the Committee on Public Safety and Military Affairs requested a waiver of the 48-hour advanced notice requirement for decision making on H.C.R. No. 12, proposed House Draft 1 on Thursday, March 29, 2007, at 10:00 a.m., and the Chair "so ordered."

Representative Carroll for the Committee on Energy and Environmental Protection requested a waiver of the 48-hour advanced notice requirement to hear H.C.R. No. 265 on Thursday, March 29, 9:30 a.m.," and the Chair "so ordered."

Representative Awana: "Thank you, Mr. Speaker. Immediately following this session, we will be having our fellowship luncheon in Room 437. Thank you, Mr. Speaker."

Speaker Say: "Tomorrow, Members of the House, will be a recess day. So for those Chairs or Vice Chairs who need to schedule public hearings, please get your notices in on time as far as meeting the 48 hour requirement. I just want to make the Chairs and Vice Chairs aware of your public hearing notices at this point in time. Tomorrow is a recess day so there will be no session."

ADJOURNMENT

At 1:47 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, March 29, 2007. (Representatives Finnegan, Luke, M. Oshiro, Saiki, Takamine and Thielen were excused.)

FORTIETH DAY

Thursday, March 29, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative James Kunane Tokioka, after which the Roll was called showing all members present with the exception of Representatives Takamine and Thielen, who were excused.

By unanimous consent, reading and approval o f the Journal of the House of Representatives of the Thirty-Ninth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 302) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 302, informing the House that on March 27, 2007, the following bill was signed into law:

H.B. No. 21, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS." (ACT 003)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 457 through 465) were received and announced by the Clerk:

Sen. Com. No. 457, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bill:

S.B. No. 56, SD 1, HD 1

Sen. Com. No. 458, transmitting H.B. No. 1226, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 459, transmitting H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 460, transmitting H.B. No. 1756, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 461, transmitting H.B. No. 272, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 462, transmitting H.B. No. 349, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 463, transmitting H.B. No. 931, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 464, transmitting H.B. No. 1104, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on March 27, 2007.

Sen. Com. No. 465, transmitting H.B. No. 1248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES," which passed Third Reading in the Senate on March 27, 2007.

Representative Caldwell moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative B. Oshiro and carried: (Representatives Takamine and Thielen were excused.)

H.B. No. 272, HD 1, SD 1
H.B. No. 349, SD 1
H.B. No. 931, HD 1, SD 1
H.B. No. 1104, HD 1, SD 1
H.B. No. 1248, HD 1, SD 1

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 56) was received by the Clerk and was placed on file:

Dept. Com. No. 56, dated March 27, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Hawai'i School Impact Fee Working Group Report.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee introduced her son, Prof. John Lee of the University of California at Santa Barbara, and her husband, Mr. Sam Lee.

Representative Ching recognized the Chinese Chamber of Commerce, sponsors of the Narcissus Festival Pageant, and the Chamber's President, Mr. Alvin Wong; President-Elect, Mr. Edward Pei; and Officer and Director, Mrs. Michelle Choy.

Representative Ching also introduced the 2007 Narcissus Queen and her Court:

4th Princess, Julia Mei Ling Sy Chen;
3rd Princess, Jennifer Jan Yen Lam;
2nd Princess Adrienne See Wun Au who was not in attendance;
1st Princess, Sibyl Vivian Hui Yu Wong; and
2007 Narcissus Queen, Jessica Mew Luan Lau.

Representative Ward introduced Colonel Craig and Mrs. Chris Cowgill of California. They were accompanied by their daughter, Rep. Ward's Office Manager, Ms. Caila Murphy and her husband, Mr. Brian Murphy.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolutions were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
68	Jointly to the Committee on Health and the Committee on Human Services & Housing, then jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

H.C.R. Nos.	Re-referred to:
90	Jointly to the Committee on Health and the Committee on Human Services & Housing, then jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
179	Committee on Labor & Public Employment, then to the Committee on Legislative Management

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
1676, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 291) was announced by the Clerk and the following action taken:

H.R. No. 291, entitled: "HOUSE RESOLUTION CONGRATULATING THE KAIMUKI HIGH SCHOOL BULLDOGS VARSITY BOYS' BASKETBALL TEAM ON WINNING THE 2007 HAWAIIAN AIRLINES/HHSAA BOYS BASKETBALL DIVISION I STATE CHAMPIONSHIP," was jointly offered by Representatives Saiki, Marumoto and Nishimoto.

Representative Saiki moved that H.R. No. 291 be adopted, seconded by Representative Nishimoto.

Representative Nishimoto congratulated the Kaimuki High School Boys' Basketball team on winning the HHSAA Division I State Championship.

Representative Saiki introduced the team members seated on the floor of the House:

Seniors, Mr. Keone Reyes, Mr. Daniel Colon, Mr. Craig Cabudol, Mr. Brandon Madamba; and

Head Coach, Mr. Kelly Grant who was accompanied by Team Ball Boy, Payton Grant.

Representative Saiki also introduced other team members seated in the gallery: Mr. Chezz Ramos-Dias, Mr. Chauncey Nicola, Mr. Kamahoi Cookman, Mr. Ryan Kakitani, Mr. Perry Faleao and Assistant Coach Mr. Kendall Ellingwood.

They were accompanied by parents and supporters, Ms. Nia Grant, Ms. Nikki Holbrook, Ms. Nancy Wassman and Ms. Misty Cabudol; and Kaimuki High School Alumni Board President Ms. Fran Kagawa, and member Ms. Joy Kobashigawa-Lewis.

The motion was put to vote by the Chair and carried, and H.R. No. 291 was adopted with Representatives Nakasone, Takamine and Thielen being excused.

The following resolution (H.R. No. 292) was announced by the Clerk and the following action taken:

H.R. No. 292, entitled: "HOUSE RESOLUTION CONGRATULATING MYRON BRUMAGHIM OF NANAIKAPONO ELEMENTARY SCHOOL, ROBERT STEVENS OF RADFORD HIGH SCHOOL, DR. TERI USHIJIMA OF MOKULELE ELEMENTARY SCHOOL, PHYLLIS NAKAMA-KAWAMOTO OF MILILANI IKE ELEMENTARY SCHOOL, AND NATALIE RODRIGUES OF MILILANI WAENA ELEMENTARY SCHOOL FOR THEIR OUTSTANDING ACHIEVEMENT AS INNOVATORS IN EDUCATION IN THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Awana, Berg, Finnegan, Karamatsu, Lee, Morita, Nishimoto, Takai, Wakai, Bertram, Brower, Chang, Hanohano, Har, Takumi and Tsuji.

Representative Mizuno moved that H.R. No. 292 be adopted, seconded by Representative Finnegan.

Representative Mizuno introduced the educators seated on the floor of the House and recognized them for their outstanding contributions:

Mr. Robert Stevens, Principal of Radford High School and recipient of the 2007 Hawaii High School Principal of the Year.

Accompanying Mr. Stevens were Mr. Rick Nosaka, Radford Complex School Renewal Specialist; Mr. George Okino, Principal of Hickam Elementary School; Mr. Ken Lee, Principal of Nimitz Elementary School; Ms. Mona Smoot, Principal of Red Hill Elementary School; Ms. Ella Marie Savidge, Principal of Pearl Harbor Elementary School; Ms. Elynne Chung, Principal of Pearl Harbor Kai Elementary School; and Ms. Jeannie Sugimoto, Principal of Aliamanu Elementary School who were seated in the gallery.

Dr. Teri Ushijima, Principal of Mokulele Elementary School and recipient of the 2007 Milken Family Foundation National Educator Award.

Accompanying Dr. Ushijima were her parents, Mr. Thomas and Mrs. Carol Ushijima who were seated in the gallery.

Mrs. Phyllis Nakama-Kawamoto, Kindergarten and First grade math teacher at Mililani Ike Elementary School and recipient of the 2006 American Star of Teaching Award.

Accompanying Ms. Nakama-Kawamoto were her husband, Mr. Michael Kawamoto; children, Aaron, Kellie and Matthew Kawamoto; mother, Mrs. Mildred Nakama; sister, Mrs. Sharon Quitervis; in-laws, Mr. and Mrs. Junichi Kawamoto; Mililani Ike Elementary School Vice Principal, Ms. Diane Ishii and other school colleagues; and friends from Mililani Mauka Elementary School who were seated in the gallery.

Ms. Natalie Rodrigues, Fifth grade teacher at Mililani Waena Elementary School and recipient of the National Milken Educators of Hawaii's first Teacher of Promise Award.

Accompanying Ms. Rodrigues were her daughter, Baylie Rodrigues, and her mother, Ms. Rebecca Fan who were seated in the gallery.

Representative Takai then introduced other guests in the gallery:

Mr. Bob Eggleston, Principal at Aliamanu Middle School and Chair of the Military Impacted Principals Council.

Mr. Clayton Fujie, Deputy Superintendent for the Department of Education.

Representatives Magaoay and Lee further congratulated and commended the honorees.

The motion was put to vote by the Chair and carried, and H.R. No. 292 was adopted with Representatives Nakasone, Takamine and Thielen being excused.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Karamatsu introduced his legislative staff, Mr. Baron Gushiken and Mr. Brandon Lee.

Representative Karamatsu also introduced Ms. Jolene Lan and Mr. Matthew Johnson of the U.S. Department of Agriculture; Mr. Alan Takemoto of the Hawaii Farm Bureau; Mr. Alec and Mrs. Kae Sou of Aloun Farms; and Mr. Derek Kurisu of KTA Stores.

At 12:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:54 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1524), recommending that H.R. No. 55, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 55, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY AND AUDIT OF THE WORKERS' COMPENSATION SYSTEM IN HAWAII," was referred to the Committee on Consumer Protection & Commerce with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1525), recommending that H.C.R. No. 79, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY AND AUDIT OF THE WORKERS' COMPENSATION SYSTEM IN HAWAII," was referred to the Committee on Consumer Protection & Commerce with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1526), recommending that H.R. No. 56, be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 56, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS TO DETERMINE THEIR FEASIBILITY AS VIABLE HEALTH INSURANCE PLANS FOR PUBLIC EMPLOYEES, RETIREES, AND THEIR DEPENDENTS," was referred to the Committee on Education with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1527), recommending that H.C.R. No. 80, be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS TO DETERMINE THEIR FEASIBILITY AS VIABLE HEALTH INSURANCE PLANS FOR PUBLIC EMPLOYEES, RETIREES, AND THEIR DEPENDENTS," was referred to the Committee on Education with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1528), recommending that H.R. No. 48, as amended in HD 1, be referred to the Committee on Human Services & Housing; and

(Stand. Com. Rep. No. 1529), recommending that H.C.R. No. 69, as amended in HD 1, be referred to the Committee on Human Services & Housing.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 48, HD 1, and H.C.R. No. 69, HD 1, be referred to the Committee on Human Services & Housing, seconded by Representative B. Oshiro.

Representative Meyer rose in opposition to both measures, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I'm in opposition on HR 48, HD1. This Resolution urges the State of Hawaii to adopt the United Nations Convention on the Rights of the Child. I think it should first be noted in what sort of company we put ourselves in when we ratify any United Nations convention. For instance, North Korea, which is perhaps the most repressive and unfree nation on earth, a nation that systematically starves, indoctrinates, and enslaves its citizens, has adopted the following U.N. conventions: the Covenant on Economic, Social, and Cultural Rights; the Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention on the Rights of the Child. This, from a regime which systematically denies all economic, social, cultural, civil and political rights to its subjects, and which grants both women and children the same opportunity to starve to death as men.

"Maybe this was the only nation that was allowed to sign these lofty-sounding declarations despite clear and convincing proof that they did the exact opposite of what the conventions say they've committed to doing. Perhaps Saudi Arabia, which severely oppresses women, would not be permitted to be a signatory to the Convention on the Elimination of All Forms of Discrimination against Women? Nope, a signatory since October of 2000. Surely Sudan, a country that allows the torture and murder of residents of Darfur in an egregious act of ethnic cleansing, would not be permitted to be a signatory to the Convention against the Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment? Nope, a signatory since June of 1986. OK, at least Sudan wouldn't be allowed to sign, or remain a signatory to, the Convention on the Elimination of All Forms of Racial Discrimination, given the incompatibility of ethnic cleansing with such a noble goal? Nope, a signatory since April of 1977.

"But, suppose for the moment we ignore the travesty of letting any and every country on earth sign, and remain signatories to, U.N. conventions that they continuously and openly violate – shouldn't the

State of Hawaii sign the Convention on the Rights of the Child anyway, if that convention reflects how we seek to treat children? Funny you should ask. If you look at the text of the convention, Article 1 defines a child as "every human being below the age of eighteen years", with no lower age limit given. Since the Hawaii Revised Statutes don't recognize unborn human beings as citizens, we'd be in violation of Article 1.

"Article 3 would have us "ensure that the institutions, services and facilities responsible for the care or protection of children shall conform to the standards established by competent authorities, particularly in the areas of safety and health". Presumably we would have to whittle down the public school repair and maintenance backlog to eliminate the numerous safety and health hazards posed by deferred maintenance, not to mention bringing our student academic performance somewhere above the bottom of the pack nationwide, before we could presume to be in compliance with Article 3.

"Article 4 would commit Hawaii to "undertake all appropriate legislative, administrative, and other measures" to protect, among other things, our "economic" rights. Since it is unlikely that the majority party would be willing to delete the large chunks of the HRS that interfere with economic rights, we'd be in violation of Article 4, too.

"Article 6 says that we would have to "recognize that every child has the inherent right to life" and that we "shall ensure to the maximum possible the survival and development of the child." Since we allow unborn human beings recognized as children in Article 1 to be killed without consequence, we'd fall well short of compliance with Article 6, too. Children under the treaty would have the right to freedom of association – preventing parents from prohibiting their children from getting involved in gangs. Children would be guaranteed the freedom of thought, conscience, and religion, empowering them to reject their parent's religious beliefs. Most of the provisions of the U.N.'s convention on the rights of the child interfere with the parent-child relationship, practically putting them on an equal basis, with the U.N. through this treaty dictating the do's and don'ts for parents.

"I could go on and on here, through all 54 articles, but suffice it to say that we comply with these articles in much the same sense that North Korea, Saudi Arabia, and Sudan comply with the conventions they've signed. Let's not engage in such hypocrisy. Let's vote "no" because it is clear we would not comply and it is not in the interest of our families to sign such a treaty."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 48, HD 1, entitled: "HOUSE RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD AS A GUIDELINE FOR ADDRESSING CONCERNS RELATED TO HAWAII'S KEIKI," was referred to the Committee on Human Services & Housing with Representative Meyer voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 69, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD AS A GUIDELINE FOR ADDRESSING CONCERNS RELATED TO HAWAII'S KEIKI," was referred to the Committee on Human Services & Housing with Representative Meyer voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Takumi and Ito, for the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1530), recommending that H.C.R. No. 107, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 107, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL, PROGRAM, AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Legislative Management with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1531), recommending that H.R. No. 214, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 214, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO INCLUDE IN ALL LAND USE APPROVALS FOR RESIDENTIAL DEVELOPMENTS, CONDITIONS REQUIRING THE CONCURRENT PROVISION OF ALL INFRASTRUCTURE REQUIRED BY THE DEVELOPMENT," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1532), recommending that H.C.R. No. 272, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 272, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO INCLUDE IN ALL LAND USE APPROVALS FOR RESIDENTIAL DEVELOPMENTS, CONDITIONS REQUIRING THE CONCURRENT PROVISION OF ALL INFRASTRUCTURE REQUIRED BY THE DEVELOPMENT," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1533), recommending that H.R. No. 177, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 177, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED UNITS AT KALIHI VALLEY HOMES FROM THE LIST OF STRUCTURES SCHEDULED FOR DEMOLITION AND TO WORK WITH THE HAWAII PUBLIC HOUSING AUTHORITY TO RENOVATE THE BUILDINGS INSTEAD," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1534), recommending that H.C.R. No. 219, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

TO REMOVE DESIGNATED UNITS AT KALIHI VALLEY HOMES FROM THE LIST OF STRUCTURES SCHEDULED FOR DEMOLITION AND TO WORK WITH THE HAWAII PUBLIC HOUSING AUTHORITY TO RENOVATE THE BUILDINGS INSTEAD," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1535), recommending that H.R. No. 45, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 45, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY AND NEUROTRAUMA WAIVER," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1536), recommending that H.C.R. No. 65, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY AND NEUROTRAUMA WAIVER," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1537), recommending that H.R. No. 151, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 151, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE ACCESS," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1538), recommending that H.C.R. No. 193, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE ACCESS," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented two reports:

(Stand. Com. Rep. No. 1539), recommending that H.R. No. 136, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1540), recommending that H.C.R. No. 173, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 136 and H.C.R. No. 173, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to both measures, stating:

"Mr. Speaker, I rise in opposition to Stand. Com. Rep. Nos. 1539 and 1540. Mr. Speaker, I rise because we still have to give the private sector a chance to get healthcare in America. I think we haven't exhausted all the options and this one says, 'Congress we've not been able to do anything and we're trying to ask you to do it.' What I think is if we look at our own State, we've tried to bend over and we have bent over backwards to make sure everybody is taken into healthcare and has healthcare. We know by the emergency appropriations. We know by the clinics. We know by even the other day that the Chair of the Health Committee even showed us a beautiful model of a mobile clinic. If any of you have ever seen the MASH 4077, this is equivalent of what we could have in the islands. So, I think instead of saying, 'Well, let's give up.' Throw our hands up and say, 'Government, you've got to do it." I think we still have to get the private/public sector a chance to work it out. The way Hawaii is doing it, we can be a model for the others. Thank you, Mr. Speaker."

Representative Evans rose in support of both measures with reservations, and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose in opposition to both measures and asked that the remarks of Representative Ward be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose in opposition to both measures and asked that the remarks of Representative Ward be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in opposition to both measures and asked that the remarks of Representative Ward be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose in opposition to both measures and asked that the remarks of Representative Ward be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Rhoads rose to speak in support of both measures, stating:

"Mr. Speaker, in support. I wanted to respond to some of the comments that the Representative from Queen's Gate had mentioned. The private sector has had since time in memorial to provide health insurance for all its citizens and it's failed miserably. The market is not the solution in this case. The market is the problem. Thank you."

Representative Pine rose to speak in opposition to both measures, stating:

"Yes, just in opposition. I know we've debated this measure many times before. I'm just more concerned about the cost and the availability of healthcare for everybody. I think Hawaii is doing a great job, but this is being compared to Canada as a role model in some discussions. There's a lot of problems of access to healthcare because of the long wait and actually getting good care, so I'm just a little concerned about that."

Representative Ward rose to respond, stating:

"Just a footnote comment. For those who have a passport and have been overseas, everyone knows in their heart, their mind and their body that we have the best healthcare system in the world, bar none. Bar Canada, bar Sweden. And we have to make it better. But compared to the other systems, it's like what Churchill said about democracy, 'Well, it's probably not the best, but compared to all the others, it's the best that we've got.' And that's the way I think it is with the healthcare system. It's the best in the world."

Representative Shimabukuro rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in strong support of HCR 173 and HR 136, regarding the United States Health Insurance Act (HR 676).

"HR 676 is also known as the Enhanced and Expanded Medicare for All Bill. The simple logic of solving the nation's healthcare crisis by extending Medicare coverage to all Americans is gaining momentum across the nation. A comprehensive, universal, single payer system using existing private healthcare providers will provide tremendous savings in cost of care and improvements in the delivery of care.

"HR 676 establishes a new American national health insurance program by creating a single payer healthcare system. The bill would create a publicly financed, privately delivered healthcare program that uses the already existing Medicare program by expanding and improving it to all U.S. residents, and all residents living in U.S. Territories. The goal of the legislation is to ensure that all Americans, guaranteed by law, will have access to the highest quality and cost effective health care services regardless of one's employment, income, or healthcare status.

"With over 42 million uninsured Americans, and another 40 million who are under insured, the time has come to change our inefficient and costly fragmented health care system. The USNHI program would reduce overall annual health care spending by over $50 billion in the first year. In addition, because it implements effective methods of cost-control, health spending is contained over time, ensuring affordable health care to future generations.

"In its first year, single-payer will save over $150 billion on paperwork and $50 billion by using rational bulk purchasing of medications. These savings are more than enough to cover all the uninsured, improve coverage for everyone else, including medication coverage and long-term care.

"Employers who currently provide coverage for their employees pay an average of 8.5% of payroll towards health coverage, while many employers can't afford to provide coverage at all. Under this Act, all employers will pay a modest 3.3% payroll tax per employee, while eliminating their payments towards private health plans. The average cost to an employer for an employee earning $35,000 per year will be reduced to $1,155, less than $100 per month.95% of families will pay less for health care under national health insurance than they do today. Seniors and younger people will all have the comprehensive medication coverage they need.

"Kentucky has already passed a resolution in support of HR 676. By unanimous voice vote, the Kentucky General Assembly passed a resolution on February 7, 2007 calling on Congress to enact HR 676. The resolution directs the House Clerk to send a copy of the official document to the Kentucky Congressional delegation and to President Bush. (The Kentucky resolution is available at http://www.lrc.ky.gov/record/07RS/HR81/bill.doc).

"Over 225 trade union organizations including 39 Central Labor Councils and 7 AFL-CIO state federations have endorsed HR 676. Hawaii should join these organizations and the state of Kentucky by passing HCR 173 and HR 136. We need to let Congress know that 42 million uninsured people in America is unacceptable. We can do better."

Representative Green rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I'm in support. Just with a comment that we don't, unfortunately, have the best healthcare system in the world. We rank frequently 15th, 20th, 30th, in some cases, when it comes to infant mortality and suffering on many issues, and so we have a long way to go. I would say we're the best country in the world, but we don't have the best healthcare system in the world. I think we should bring those two things together. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 136, entitled: "HOUSE RESOLUTION URGING CONGRESS TO ENACT THE UNITED STATES NATIONAL HEALTH INSURANCE ACT," was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward, voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO ENACT THE UNITED STATES NATIONAL HEALTH INSURANCE ACT," was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward, voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented two reports:

(Stand. Com. Rep. No. 1541), recommending that H.R. No. 160, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1542), recommending that H.C.R. No. 202, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 160 and H.C.R. No. 202 be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, breast cancer is the most common cancer among American women and cervical cancer is the second most common cancer among women worldwide. These cancers are more deadly among low-income groups because they are less likely to have access to routine screenings. We all know that screening and early detection can be the difference between life and death. Through the Hawaii Breast and Cervical Cancer Control Program (HBCCCP), the Department of Health screens populations disproportionately affected by cervical cancer. Since its inception, DOH reports that "approximately 5,000 women have been screened; 126 breast cancers diagnosed and 90 pre-cancerous or cancerous conditions of the cervix diagnosed." Without HBCCCP, these cancers would have most likely been undetected and these women would probably have lost their lives.

"Unfortunately, this program is only funded through federal moneys which might begin to decrease in the future. These Resolutions request the Governor to establish a program to provide coverage of cancer screening for women fifty to sixty-four years of age who are low-income or have no or insufficient health insurance.

Screening and early detection work and I urge my colleagues to vote in favor of these Resolutions. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1543), recommending that H.R. No. 257, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1544), recommending that H.C.R. No. 322, be referred to the Committee on Judiciary.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 257 and H.C.R. No. 322 be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in opposition to the measure, stating:

"In opposition, Mr. Speaker. The only alternative that we have so far for adult care or senior care are the care homes, and there's currently a shortage of them. We need more. And the regulation after regulation that we have been imposing on these homes have caused a lot to them to either leave or not enter the business. So I would think that we should head to the opposite direction. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees was adopted and H.R. No. 257, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF ADULT RESIDENTIAL CARE HOMES," was referred to the Committee on Judiciary with Representative Cabanilla voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 322, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF ADULT RESIDENTIAL CARE HOMES," was referred to the Committee on Judiciary with Representative Cabanilla voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1545), recommending that H.C.R. No. 185, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI'I AT MANOA COLLEGE OF SOCIAL SCIENCES PUBLIC POLICY CENTER TO CONDUCT A COST-BENEFIT ANALYSIS FOR A FAMILY CAREGIVER TAX CREDIT," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1546), recommending that H.R. No. 104, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 104, HD 1, entitled: "HOUSE RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1547), recommending that H.C.R. No. 130, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 130, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1548), recommending that H.R. No. 268, as amended in HD 1, be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 268, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON HOUSING FOR ESSENTIAL WORKERS," was referred to the Committee on Labor & Public Employment with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1549), recommending that H.C.R. No. 333, as amended in HD 1, be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 333, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON HOUSING FOR ESSENTIAL WORKERS," was referred to the Committee on Labor & Public Employment with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1550), recommending that H.R. No. 81, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 81, HD 1, entitled: "HOUSE

RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE MAYOR WRIGHT HOMES TENANT ASSOCIATION," was referred to the Committee on Legislative Management with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1551), recommending that H.C.R. No. 103, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE MAYOR WRIGHT HOMES TENANT ASSOCIATION," was referred to the Committee on Legislative Management with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1552), recommending that H.C.R. No. 51, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 51, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY AND ITS TENANTS' ASSOCIATIONS," was referred to the Committee on Legislative Management with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented two reports:

(Stand. Com. Rep. No. 1553), recommending that H.R. No. 152, as amended in HD 1, be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns; and

(Stand. Com. Rep. No. 1554), recommending that H.C.R. No. 194, as amended in HD 1, be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 152, HD 1, and H.C.R. No. 194, HD 1, be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like to ask for a ruling on a potential conflict of interest. At my law firm, I am involved in the lawsuit against Turtle Bay and its expansion," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 152, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused, and

H.C.R. No. 194, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1555), recommending that H.C.R. No. 222, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO ASSESS AND RECOMMEND CHANGES IN THE ADMINISTRATION OF STATE WORKFORCE DEVELOPMENT PROGRAMS," was referred to the Committee on Legislative Management with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1556), recommending that H.C.R. No. 252, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVES IN UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1557), recommending that H.R. No. 222, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 222, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SEEK AMENDMENTS TO THE MEDICARE PAYMENT SYSTEM TO INCREASE REIMBURSEMENTS TO HAWAII'S HOSPITALS," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1558), recommending that H.C.R. No. 282, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SEEK AMENDMENTS TO THE MEDICARE PAYMENT SYSTEM TO INCREASE

REIMBURSEMENTS TO HAWAII'S HOSPITALS," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1559), recommending that H.C.R. No. 119, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 119, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," was referred to the Committee on Finance with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1560), recommending that H.C.R. No. 178, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 178, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE WORKERS' COMPENSATION SYSTEM OF THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT AND DEPARTMENT OF EDUCATION," was referred to the Committee on Legislative Management with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1561), recommending that H.R. No. 60, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 60, entitled: "HOUSE RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was referred to the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1562), recommending that H.C.R. No. 84, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was referred to the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1563), recommending that H.R. No. 63, be referred to the Committee on Economic Development & Business Concerns; and

(Stand. Com. Rep. No. 1564), recommending that H.C.R. No. 87, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 63 and H.C.R. No. 87 be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 63, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was referred to the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was referred to the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1565), recommending that H.R. No. 57, as amended in HD 1, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 57, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO APPROVE AND AUTHORIZE THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was referred to the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1566), recommending that H.C.R. No. 81, as amended in HD 1, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 81, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR

TO APPROVE AND AUTHORIZE THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was referred to the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented two reports:

(Stand. Com. Rep. No. 1567), recommending that H.R. No. 153, as amended in HD 1, be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns; and

(Stand. Com. Rep. No. 1568), recommending that H.C.R. No. 195, as amended in HD 1, be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 153, HD 1, and H.C.R. No. 195, HD 1, be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I have the same request for a ruling on a potential conflict. I represent the community groups that sued Turtle Bay," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 153, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 195, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1569), recommending that H.R. No. 249, as amended in HD 1, be referred to the Committee on Tourism & Culture; and

(Stand. Com. Rep. No. 1570), recommending that H.C.R. No. 314, as amended in HD 1, be referred to the Committee on Tourism & Culture.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 249, HD 1, and H.C.R. No. 314, HD 1, be referred to the Committee on Tourism & Culture, seconded by Representative B. Oshiro.

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Lee rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Green rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations on both measures, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in support with reservations on HR 249, HD1. This Resolution authorizes a state-province relationship between the State of Hawaii and the province in Vietnam containing Hue City. While I support the concept of encouraging democracy and the protection of human rights in Vietnam, I do not think that Vietnam has yet broken its ties with the communist regime. Corruption is a way of life, with the exploitation of children and women tolerated by government leaders. There is a high degree of lawlessness which does not render Thua Thien-Hue as a good candidate for us to recognize in a sister-state affiliation."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Sonson rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of both measures, stating:

"Mr. Speaker, I realize there are a lot of votes with reservations and a couple of no votes, but I would just like to express that I rise in support of these Resolutions that would treat the persons of Vietnam with compassion.

"The subject of these Resolutions reminded me of the American Bar Association event I attended last year that featured United States Supreme Court Justice Anthony Kennedy whereby the promotion of democracy into arenas not having it is the calling of the day. Meaning, however we can formulate democracy in societies that do not embrace it, that is the challenge and barrier we must overcome. For all the injustices that transpired in Vietnam by no means does the Resolutions introduced excuse them. Rather, it exposes our generosity and ability to live by the creed that where there is injustice to one, no matter where, all of humanity suffers.

"We know the injustices, yet, rather than ignore them, it was our intent, by way of these Resolutions to partner with Vietnam to illustrate how justice is lived and adhered to in Hawaii. Hopefully, as we intended, a new spark ignites a new generation by way of the partnership proposed between the State and their Province which would bring to them a greater understanding of humanity and

democracy as a result. To embrace the expansion of democracy into Vietnam through a sister-state relationship as was proposed in these Resolutions, is an act worthy of passage in my opinion. Bringing a taste of democracy, not by war, but by partnership to the next generation of Vietnamese that we're not the murders is a noble act worthy of my support, and I hope you and I can agree on that cause as a just cause.

"I also want to add Mr. Speaker, that I would like to dedicate these Resolutions to my predecessor, the Honorable Heléne Hale, who was very passionate in passing this measure last year. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, by default I stand as the only ~~Vietnman~~Vietnam veteran, or the only veteran that served in Vietnam. I was a translator/~~interpretor~~interpreter, and I rise conflicted with this particular Resolution."

The Chair addressed Representative Ward, stating:

"Are you standing with reservations?"

Representative Ward responded, stating:

"Representative Takai said, *'kanalua'* in Committee. Can I rise with *kanalua*?"

Speaker Say: "*Kanalua* is with reservations. Please proceed."

Representative Ward continued, stating:

"That shows where the conflict is. Because as a veteran, the war is over. Let's get on with life. But there's a lot of hurt and those who served, who came to the Committee, who said, 'You know the butchery that we went through. You know the death that we experienced.' The Vietnamese who are here say, 'The Communists are not giving us any liberty, there's no freedom.' Eventually, we have to get on with our life.

"One of the Vietnamese points is that~~'s~~ there is so much in our favor to do this, because that the economy is growing gangbusters. The most popular country there is America and Americans. So, we have to get beyond it. This is a small nudge, but I'm not sure if it should go beyond this Floor today. ~~-~~ Thank you."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ito rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 249, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE PROLIFERATION OF DEMOCRACY, PROTECTION OF HUMAN RIGHTS AND ECONOMIC OPENNESS IN VIETNAM BY MEANS OF A SISTER-PROVINCE AFFILIATION WITH THE PROVINCE OF THUA THIEN-HUE IN VIETNAM," was referred to the Committee on Tourism & Culture with Representatives Green, Ito and Sonson, voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 314, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE PROLIFERATION OF DEMOCRACY, PROTECTION OF HUMAN RIGHTS AND ECONOMIC OPENNESS IN VIETNAM BY MEANS OF A SISTER-PROVINCE AFFILIATION WITH THE PROVINCE OF THUA THIEN-HUE IN VIETNAM," was referred to the Committee on Tourism & Culture with Representatives Green, Ito and Sonson, voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented two reports:

(Stand. Com. Rep. No. 1571) recommending that H.R. No. 61, be adopted; and

(Stand. Com. Rep. No. 1572) recommending that H.C.R. No. 85, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 61 and H.C.R. No. 85, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to these two measures. These Resolutions are urging the United States Congress to pass the proposed Employee Free Choice Act. That is really kind of an Orwellian' title, the Employees Free Choice Act, because this Act would deprive the employees of their freedom to freely choose without coercion whether to join a labor union.

"Currently, voting on whether to join a union is done by secret ballot. No one knows how anyone votes. This card check bill would eliminate a fundamental protection of the rights of workers. In essence, union representatives would be free to strong-arm employees individually in the employer's parking lot, in bars, restaurants, in their homes, to sign a card saying the employee favored the idea of unionizing the business. And if you decline to sign, the union organizers could keep sending people to badger or threaten you over and over again in the hope that you would finally sign the card just so they would leave you alone. If you kept on refusing to sign despite this relentless pressure, the organizers would know you were opposed to the union and they could retaliate against you.

"Why should a person's right in a union election be any less than during a political election?~~.~~ A cornerstone of our democracy is the right to a secret ballot. This bill, so-called the Employee Free Choice Act is anything but. Even if you really care about voter privacy or preventing voter coercion, these types of bills are fundamentally unfair. They allow labor union organizers to use cross check procedures to certify a union, but they don't allow employers to use a check cross procedures to decertify existing unions.

"These bills aren't about fairness or helping workers. They're about union bosses seeking to increase their power by using one-sided organizing tactics to force unwilling employees into a union where they will be required to pay compulsory dues. These bills

would benefit union bosses at the expense of the right to confidential ballots enjoyed by workers for over a half a century. So what is driving the push for this one-sided legislation?

"We, here in the State Legislature, also have a number of bills calling for the same type of mechanism to organize union shops. Why? Because union membership has been dropping every year since 1979. ~~Until~~ nationally now, only 7.4% among private employers are unionized.

"This past election we saw a change in the leadership in Congress. The Majority Party is now the Democrat Party. Since 1994 it's been a Republican Party. I would say that the union bosses who helped these people mightily during the last election have come to get what they feel is their due. Get the Congress to pass this, and in that way, start to get more companies unionized. I have more to say on this, but I will do that at another time. Thank you."

Representative Takumi rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. In support. Just a couple of points, Mr. Speaker. I'm just kind of amazed that we're talking about how union bosses, I suppose we could say union thugs, are going to intimidate workers when they seek~~-~~ their constitutional right to form a union and all the rest of it.

"Let me just first say, it did pass the U.S. House of Representatives. It is now in the U.S. Senate where it is expected to pass. The previous speaker mentioned that it is controlled by the Democrats. It did pass the U.S. House with a bipartisan vote. And the last time I looked, every single member of the Congress was elected by registered voters in their respective states, not by labor unions *per se*. That's why Democrats are now in control of the U.S. Senate and U.S. House, because that's what voters in each of those states decided. I'm not going to second guess the collective wisdom of those voters.

"Let me get to the heart of the real point here, though. It's the same point the U.S. Labor Secretary Elaine Chao recently made when she said that a worker's right to a secret ballot election is an intrinsic right in our democracy. Sounds good. Mr. Speaker, let's take some other countries. Kazakhstan, for example, Mr. Speaker, uses a secret ballot when they choose their leaders. I wonder if any of us here would say that the nation of Kazakhstan uses the same kind of process in electing their leadership, the same kind of American standard of free and fair elections. I hope we say that the answer to that is no. Let's not confuse the symbol for the substance.

"The representation election in the American work place doesn't work as well. Yes, there is a secret ballot, but the playing field in which that secret ballot takes place is so uneven that workers are literally sliding off that playing field. Let's look at a typical union election, Mr. Speaker. Workers sign up to have a vote and then what takes place? Months, sometimes years transpire before that secret ballot election takes place. In the best of all worlds, in an idealistic situation, the employer says, 'You know, workers, you do have that right to an election and it's a hands-off situation. I'll let you alone and I'll leave you to your own devices. You're all mature adults. You're free to make up your own mind on whether or not you want an exclusive bargaining agent to represent your interest.'

"Unfortunately, it doesn't happen that way. According to Cornell University scholar Ms. Kate Bronfenbrenner, management forces employees to attend group anti-union presentations, in 92% of union organizing drives. And, Mr. Speaker, in my previous life, when I was a union organizer, I can attest to the fact that management in the vast majority of cases, if not 100% of the cases, conducts these types of meetings either in a group setting or one on one. An employer will tell workers that their jobs are at stake. That the company doesn't need to put up with 'troublemakers'. Short of threatening someone's family or life, I would think threatening someone's job is intimidating, to say the least. Indeed, in 1988 and 1989, public sector employers illegally fired employees with union activities in 25% of all efforts to exercise their right to organize a union which resulted in thousands of workers getting fired on the job for merely exercising that right.

"The previous speaker talked about the decrease in union membership and that is true. But let's not confuse the cause and the effect. The reason for that is that in the majority of cases when the union loses that election, it's because of intimidation by the employer, not by the union. Some 60 million U.S. workers say they would join the union if they could, and this is based on research conducted by Peter Hart Associates in 2006. Sixty million workers in this country. But when they tried to attempt to do so, what did they face? Employer intimidation, harassment, and retaliation.

"These Resolutions before us merely suggest that the Congress ought to take a look at this. And as I said, the House has already done so and I suspect the Senate will do so as well. So the workers are free to exercise their right to do what the law says. After all, Mr. Speaker, even the President of Kazakhstan doesn't have it that good. Thank you."

Representative Ching rose in opposition to both measures and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 61, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was adopted with Representatives Ching and Meyer voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," was adopted with Representatives Ching and Meyer voting no, and with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented two reports:

(Stand. Com. Rep. No. 1573) recommending that H.R. No. 107, be adopted; and

(Stand. Com. Rep. No. 1574) recommending that H.C.R. No. 133, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 107 and H.C.R. No. 133, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of both measures, stating:

"On Stand. Com. Rep. Nos. 1573 and 1574 I rise in support and I would like to insert written comments. I'd just like to say that because we may not see this again, that this is a very important issue. I've stood on this Floor many times and given speeches about the importance of breastfeeding, but this is a Resolution which gives support to another Legislature to pass a Breastfeeding Bill of Rights. ~~and~~ I hope someday that we can pass one in Hawaii. Thank you."

Representative Lee's written remarks are as follows:

Mr. Speaker, I am in support of these measures. Mr. Speaker, studies have shown that breastfed infants are healthier than bottle-fed babies. We also know that it is cheaper to breastfeed than it is to buy formula. In fact, a United States Department of Agriculture analysis estimates that at least $3,600,000,000 could be saved nationally if only fifty per cent of mothers breastfed their infants until they were

at least six months old. Furthermore, women who receive appropriate, culturally sensitive information and support about breastfeeding during and immediately following their childbirth delivery are eight times more likely to continue breastfeeding for at least six weeks compared to women who received little or no post delivery support about breastfeeding.

"It is therefore important for information about breastfeeding to be available to women. This resolution supports Senate Bill No. 1674 and Assembly Bill No. 3782 of the New York State Legislature, which proposes to codify every woman's right to be informed about the benefits of breastfeeding and to have an environment that is conducive to what all pediatricians agree to be the safest and healthiest choice for newborn and infant feeding. These bills propose adoption of a statement of rights, known as the breastfeeding mothers' bill of rights, to: provide mothers with basic breastfeeding-related rights before, during and after the birth of their baby; require that the statement of rights be conspicuously posted in a public place in maternal health care facilities, nurseries, maternity floors, and post-delivery recovery rooms; and require assistance from lactation specialists in the hospital and after discharge.

"This is an important statement and I urge my colleagues to support these Resolutions. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 107, entitled: "HOUSE RESOLUTION SUPPORTING THE BREASTFEEDING MOTHERS' BILL OF RIGHTS OFFERED AS SENATE BILL NO. 1674 AND ASSEMBLY BILL NO. 3782 IN THE NEW YORK STATE LEGISLATURE," was adopted, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused; and

H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE BREASTFEEDING MOTHERS' BILL OF RIGHTS OFFERED AS SENATE BILL NO. 1674 AND ASSEMBLY BILL NO. 3782 IN THE NEW YORK STATE LEGISLATURE," was adopted, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1575) recommending that H.R. No. 113, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 113, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA AND REPORT STATISTICS RELATED TO CASES OF ABUSE OF VULNERABLE ADULTS," was adopted, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1576) recommending that H.C.R. No. 140, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 140, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA AND REPORT STATISTICS RELATED TO CASES OF ABUSE OF VULNERABLE ADULTS," was adopted, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1577) recommending that H.R. No. 35, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 35, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING PEACE EDUCATION INTO THE SCHOOL CURRICULUM," was adopted, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1578) recommending that H.C.R. No. 55, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING PEACE EDUCATION INTO THE SCHOOL CURRICULUM," was adopted, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1579) recommending that S.B. No. 776, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1580) recommending that S.B. No. 1513, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1581) recommending that S.B. No. 1509, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1509, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," passed Second Reading, and was placed on the calendar for Third Reading, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1582) recommending that S.B. No. 228, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Second Reading, and was placed on the calendar for Third Reading, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1583) recommending that S.B. No. 755, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 755, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," passed Second Reading, and was placed on the calendar for Third Reading, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1584) recommending that S.B. No. 1750, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1750, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading, and was placed on the calendar for Third Reading, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen were excused.)

THIRD READING

S.B. No. 1006, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1006, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," passed Third Reading by a vote of 45 ayes, with Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen being excused.

At 1:23 o'clock p.m., the Chair noted that S.B. No. 1006, SD 1, passed Third Reading.

ANNOUNCEMENT

Speaker Say: "Members of the House, if you look on pages A through K of your Order of the Day, those are your public hearing notices of the respective Committees. I hope Members ~~of~~ this Chamber attend their public hearings as we move into the next six weeks.

"I've been hearing a lot of announcements being made in regards to not having M~~m~~embers during the votes. This is a terrible sign ~~when~~ to the general public, and it reflects on how this House is being run, which is efficiently, openly and honestly. So, please be aware of what is happening as far as your attendance at your particular Committee hearings and decision making."

ADJOURNMENT

At 1:24 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 30, 2007. (Representatives Hanohano, Nakasone, Nishimoto, Saiki, Takamine and Thielen were excused.)

FORTY-FIRST DAY

Friday, March 30, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Ashley Tsuji, son of Representative Tsuji, after which the Roll was called showing all members present with the exception of Representatives M. Oshiro, Takamine, Thielen and Waters, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fortieth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 303) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 303, informing the House that on March 29, 2007, the following bill was signed into law:

S.B. No. 1260, SD 2, entitled: "A BILL FOR AN ACT RELATING TO A GRANT TO KAHUKU HOSPITAL." (ACT 004)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 466 through 467) were received and announced by the Clerk:

Sen. Com. No. 466, transmitting S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO COOPERATE AND COORDINATE EFFORTS TO HARMONIZE PEDESTRIAN WALK SIGNAL LIGHTS WITH THE PEDESTRIAN'S RIGHT OF WAY IN CROSSWALK LAW," which was adopted by the Senate on March 29, 2007.

Sen. Com. No. 467, transmitting S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CIVIL DEFENSE DIVISION OF THE STATE DEPARTMENT OF DEFENSE TO DESIGNATE A LEAD STAFF TO ADDRESS THE NEEDS OF INDIVIDUALS WITH DISABILITIES AND SPECIAL HEALTH NEEDS," which was adopted by the Senate on March 29, 2007.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Karamatsu introduced the Japan Cherry Blossom Association Queen, Ms. Tomoko Miki; and Association Director, Ms. Sonoko Kudo of Tokyo. They were accompanied by Honolulu's 54th Cherry Blossom Queen, Ms. Desiree Yamamoto, Honolulu Japanese Junior Chamber of Commerce, President Jon Murai, Vice President of International Relations Staci Yoshihara, and Representative Karamatsu's office manager, Mr. Wayne Yagi.

Representative McKelvey introduced Mr. John Lundine of West Maui, Vice Chair of the West Maui Democratic Party.

Representative Caldwell introduced Mr. Jeff Mikulina, Director of the Sierra Club, Hawaii Chapter. Accompanying him were his sisters and their families: Debora and Mike, and their daughter Kenna from Seattle, Washington; and Sandra and Mark and their sons Jonah and Peyton from St. Louis Missouri.

Representative Ward introduced his daughter, Miss Johanna Mei Ping Ward.

Representative Takumi introduced Superintendent of Education, Ms. Patricia Hamamoto; Deputy Superintendent, Clayton Fujie; and HSTA President, Roger Takabayashi.

Representative Ching introduced her legislative staff, Bevelyn and Jocelyn Ho.

Representative Awana introduced the staff of the Waianae Community Outreach Program: Tilsonette, Justin, Kamalei, Sydney, Edi, Franny, Shirley, Princess, Caroline and Sashe.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following concurrent resolution was re-referred to committee by the Speaker:

H.C.R. No.	Re-referred to:
12	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 293) was announced by the Clerk and the following action taken:

H.R. No. 293, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING WAIANAE COMMUNITY OUTREACH FOR THEIR EFFORTS TO ASSIST THE HOMELESS IN HAWAII," was jointly offered by Representatives Awana, Har, Marumoto, McKelvey, Mizuno, Tokioka, Brower, Morita, Sonson, Souki and Waters.

Representative Awana moved that H.R. No. 293 be adopted, seconded by Representative Berg.

Representative Awana introduced the Kahale family who benefited from the services of the Waianae Community Outreach, Ms. Doriann Kahale; and her daughters, Ms. Keisha Kahale, Ms. Teisha Kahale, Ms. Landy Kahale, Ms. Brandzy Kahale, and Avisann Kahale, who were seated in the gallery.

Representative Awana recognized and commended the Waianae Community Outreach Program and introduced the following honorees seated on the floor of the House:

Ms. Kanani Kaaiawahia Buluwan, Executive Director;
Ms. Tulutulu Toa, Outreach Specialist;
Ms. Laura Pitolo, Program Director;
Ms. Sybol Uelese, Program Specialist;
Ms. Kaui Kapu, Housing Specialist; and
Ms. Haunani Kalama, Operations Specialist.

Representative Berg welcomed the Kahale family to the East Oahu neighborhood.

Representative Shimabukuro further recognized Ms. Kanani Kaaiawahia Buluwan; and Representative Har thanked them for their advocacy in working with the homeless.

The motion was put to vote by the Chair and carried, and H.R. No. 293 was adopted with Representatives M. Oshiro, Nakasone, Takamine, Thielen and Waters being excused.

The following resolution (H.R. No. 294) was announced by the Clerk and the following action taken:

H.R. No. 294, entitled: "HOUSE RESOLUTION CONGRATULATING JAMI MURANAKA AS THE 2007 HAWAII STATE TEACHER OF THE YEAR, AND LIZABETH HORII, NAIDAH GAMUROT, BRETT KEWISH, JANICE NAKAGAWA, JUDY LOCKE, AND ALLISON CARVEIRO AS THE 2007 HAWAII STATE DISTRICT TEACHERS OF THE YEAR, AND KAWANANAKOA MIDDLE SCHOOL, MOANALUA ELEMENTARY SCHOOL, AND WAIKIKI ELEMENTARY SCHOOL AS THE 2007 BLUE RIBBON SCHOOLS OF THE STATE OF HAWAII," was jointly offered by Representatives Manahan and Bertram.

Representative Manahan moved that H.R. No. 294 be adopted, seconded by Representative Bertram.

Representative Manahan introduced and congratulated the 2007 Teachers of the Year who were seated on the floor of the House:

Ms. Jami Muranaka of Kaiser High School, the 2007 Honolulu District Teacher of the Year, and 2007 Hawaii State Teacher of the Year. She was accompanied by her husband, Mr. Garett Muranaka; and her parents, Mr. James and Mrs. Doris Hamasaki who were seated in the gallery.

Ms. Lizabeth Horii of Mililani Iki Elementary School, 2007 Central District Teacher of the Year. She was accompanied by her husband, Mr. Robert Horii; her sons, Ross and Lyle Horii; and her mother, Ms. Berdene Yokoo who were seated in the gallery.

Mr. Brett Kewish of Kahuku High and Intermediate School, 2007 Windward District Teacher of the Year. He was accompanied by his wife, Ms. Krista Nielsen who was seated in the gallery.

Ms. Janice Nakagawa of Waiakeawaena Elementary School, 2007 Hawaii District Teacher of the Year. She was accompanied by her husband, Mr. Wayne Nakagawa; her daughters, Julie Ann and Jamie Nakagawa along with Jamie's boyfriend, Jared Yogi; and her sister, Ms. Iris Matsumoto.

Representative Bertram also introduced and congratulated the 2007 Teachers of the Year who were seated on the floor of the House:

Ms. Judy Locke of Kihei Elementary School, the 2007 Maui District Teacher of the Year. She as accompanied by her husband, Mr. Skip Locke and daughter Cassandra Locke who were seated in the gallery.

Ms. Naidah Gamurot of Kapolei High School, 2007 Leeward District Teacher of the Year who was not in attendance.

Ms. Allison Carveiro of Kekaha Elementary School, 2007 Kauai District Teacher of the Year who was not in attendance.

Representative Bertram also acknowledged and thanked Aloha Airlines, Sr. Vice President Stephanie Ackerman and her Executive Assistant Linda Tapia for providing air travel for teachers, Janice Nakagawa and Judy Locke.

Representative Wakai then congratulated and introduced honorees representing the 2007 Blue Ribbon Schools who were seated on the floor of the House:

Kawananakoa Middle School represented by Principal Sandra Ishihara-Shibata;

Moanalua Elementary School represented by Principal Denise Arai. She was accompanied by Vice Principal Jay Nakasone; Librarian and Teacher representative Lynette Kam; Parent and School Community Council President Kirsten Kajiwara; Moanalua Community representative Dennis Mishima; and

Waikiki Elementary School represented by Principal Bonnie Tabor.

Representative Ching further recognized Kawananakoa Middle School, and Representative Har further recognized Ms. Naidah Gamurot of Kapolei High School.

The motion was put to vote by the Chair and carried, and H.R. No. 294 was adopted with Representatives M. Oshiro, Nakasone, Takamine, Thielen and Waters being excused.

At 12:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1585), recommending that H.R. No. 263, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1586), recommending that H.C.R. No. 326, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 263 and H.C.R. No. 326, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise with a few comments in support of 1585 and 1586. Convening a taskforce to review and make recommendations concerning the structure and operations of the Hawaii Health Systems Corporation. Why would one stand on Second Reading and on a reso? Well, Mr. Speaker, it's because of what came out in this morning's newspaper. The headline: 'Hawaii in the bottom twenty percent of hospitals in the United States.'

"That was a shocker. And why I'm standing to speak is I know this is going on to the Legislative Management Committee, but I was just going to reemphasize that we need this reso now more than ever. I would encourage the Legislative Management Committee to tighten it up even more to make it even more specific and more powerful because being in the bottom twenty is not only a shocker. We should be in the top twenty, world class and second to none. So thank you, Mr. Speaker."

Representative Belatti rose to speak in support of both measures, stating:

"I also rise to stand in strong support for Standing Committee Report Nos. 1585 and 1586. Mr. Speaker, I stand in strong support. The purpose of these Resolutions are to improve the Hawaii Health Systems Corporation as a system by convening a joint taskforce to review and make recommendations concerning its structure and operations. While many of us are wary of joint taskforces, I think this is an important one because of the long term implications of this measure.

"As it was discussed in the Committee on Health, this measure may be a better course of action because of the long term implications any reorganization of the Hawaii Health Systems Corporation may have. There are fiscal implications for future legislators and taxpayers who will bear their responsibility to fund the needs of our public hospitals. But more importantly there will be access to quality healthcare implications that we need to study. I hope and trust, as the Representative from Hawaii Kai also I think alluded to, that these Resolutions will receive a fair hearing in the Committee on Legislative Management and that this body as a whole will be able to consider the Resolution for Final Reading. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 263, entitled: "HOUSE RESOLUTION CONVENING A JOINT TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE STRUCTURE AND OPERATIONS OF THE HAWAII HEALTH SYSTEMS CORPORATION," was referred to the Committee on Legislative Management with Representatives Manahan, Takamine and Thielen being excused; and

H.C.R. No. 326, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A JOINT TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE STRUCTURE AND OPERATIONS OF THE HAWAII HEALTH SYSTEMS CORPORATION," was referred to the Committee on Legislative Management with Representatives Manahan, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1587), recommending that H.C.R. No. 89, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXTEND ITS CURRENT LAND LEASE WITH LEAHI HOSPITAL TO FACILITATE THE EFFECTIVE PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF A CAMPUS-WIDE MASTER PLAN FOR LONG-TERM HEALTH CARE SERVICES," was referred to the Committee on Higher Education with Representatives Manahan, Takamine and Thielen being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1588), recommending that H.R. No. 108, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST IN HAWAII VENTURE CAPITAL," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1589), recommending that H.C.R. No. 134, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 134, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST IN HAWAII VENTURE CAPITAL," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1590), recommending that H.R. No. 37, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 37, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PLAN SUFFICIENT ON-CAMPUS PARKING AT KAPIOLANI COMMUNITY COLLEGE," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1591), recommending that H.C.R. No. 56, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 56, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PLAN SUFFICIENT ON-CAMPUS PARKING AT KAPIOLANI COMMUNITY COLLEGE," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1592), recommending that H.R. No. 69, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 69, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY POLICE DEPARTMENTS TO VIGOROUSLY ENFORCE LAWS RELATING TO THE OPERATION OF MOPEDS," was referred to the Committee on Judiciary with Representatives Manahan, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1593), recommending that H.C.R. No. 91, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY POLICE DEPARTMENTS TO VIGOROUSLY ENFORCE LAWS RELATING TO THE OPERATION OF MOPEDS," was referred to the Committee on Judiciary with Representatives Manahan, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1594), recommending that H.C.R. No. 142, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE POLICE DEPARTMENTS OF THE COUNTIES OF MAUI, KAUAI, HAWAII, THE CITY AND COUNTY OF HONOLULU, AND THE DEPARTMENT OF PUBLIC SAFETY, SHERIFFS DIVISION, TO CONDUCT CHECKPOINTS SIMILAR TO THE PROGRAM OF "CLICK IT OR TICKET", TO BE CALLED "OPERATION ZERO TOLERANCE" TO CRACK DOWN ON AND DETER UNINSURED MOTORISTS," was referred to the Committee on

Judiciary with Representatives Manahan, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1595), recommending that H.C.R. No. 240, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 240, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO RECOMMEND A PROCESS TO CREATE A CITIZEN ROAD WATCH PROGRAM," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1596), recommending that H.R. No. 255, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 255, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A TEMPORARY TASK FORCE TO EXAMINE ALL RELEVANT ISSUES THAT MAY CONTRIBUTE TO THE EXODUS OF PHYSICIANS FROM HAWAII AND TO RECOMMEND WAYS TO RETAIN PHYSICIANS IN THE STATE," was referred to the Committee on Legislative Management with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1597), recommending that H.R. No. 131, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 131, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN AND CONDUCT A POLICY REVIEW," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1598), recommending that H.C.R. No. 166, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN AND CONDUCT A POLICY REVIEW," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1599), recommending that H.R. No. 132, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 132, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF A UNIVERSITY OF HAWAII SECOND CENTURY PROMISE TASK FORCE," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1600), recommending that H.C.R. No. 167, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A UNIVERSITY OF HAWAII SECOND CENTURY PROMISE TASK FORCE," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1601), recommending that H.R. No. 196, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 196, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS FROM PACIFIC ISLAND JURISDICTIONS THAT HAVE HISTORICAL TIES TO THE UNITED STATES BUT DO NOT HAVE PUBLIC HIGHER EDUCATIONAL INSTITUTIONS THAT GRANT BACCALAUREATE DEGREES," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1602), recommending that H.C.R. No. 245, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE FINANCIAL ASSISTANCE TO STUDENTS FROM PACIFIC ISLAND JURISDICTIONS THAT HAVE HISTORICAL TIES TO THE UNITED STATES BUT DO NOT HAVE PUBLIC HIGHER EDUCATIONAL INSTITUTIONS THAT GRANT BACCALAUREATE DEGREES," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1603), recommending that H.R. No. 139, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 139, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SUBMIT A REPORT WITH INFORMATION REGARDING THE SALARIES OF UH-MANOA EXECUTIVES, MANAGEMENT, FACULTY AND ADMINISTRATORS," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1604), recommending that H.C.R. No. 177, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 177, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SUBMIT A REPORT WITH

INFORMATION REGARDING THE SALARIES OF UH-MANOA EXECUTIVES, MANAGEMENT, FACULTY AND ADMINISTRATORS," was referred to the Committee on Finance with Representatives Manahan, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1605) recommending that H.R. No. 234, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 234, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO CHANGE THE HAWAII ADMINISTRATIVE RULES TO ALLOW RAPID HIV TESTING IN THE STATE," was adopted, with Representatives Manahan, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1606) recommending that H.C.R. No. 293, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 293, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CHANGE THE HAWAII ADMINISTRATIVE RULES TO ALLOW RAPID HIV TESTING IN THE STATE," was adopted, with Representatives Manahan, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1607) recommending that H.R. No. 49, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 49, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO EXAMINE THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED FOR LONG-TERM CARE AND TO PROPOSE SOLUTIONS," was adopted, with Representatives Manahan, Takamine and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1608) recommending that H.C.R. No. 72, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 72, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO EXAMINE THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED FOR LONG-TERM CARE AND TO PROPOSE SOLUTIONS," was adopted, with Representatives Manahan, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented two reports:

(Stand. Com. Rep. No. 1609) recommending that H.R. No. 109, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1610) recommending that H.C.R. No. 135, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 109, HD 1, and H.C.R. No. 135, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support of Stand. Com. Rep. No. 1609 and 1610 that requests a comparison study of the Board of Regents of the University of Hawaii, and regents of similar state universities. I think that this Resolution is a far-sighted vehicle that realizes that after some of the conversation of the other afternoon regarding our Board of Regents, we should be looking at what other states of comparable size and constituencies do and that will help us to achieve our goal of excellence in the University System."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 109, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A COMPARISON STUDY OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII AND THE BOARDS OF REGENTS OF SIMILAR STATE UNIVERSITIES ACROSS THE NATION," was adopted, with Representatives Manahan, Takamine and Thielen being excused; and

H.C.R. No. 135, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPARISON STUDY OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII AND THE BOARDS OF REGENTS OF SIMILAR STATE UNIVERSITIES ACROSS THE NATION," was adopted, with Representatives Manahan, Takamine and Thielen being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1611) recommending that S.B. No. 46, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 46, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Manahan, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1612) recommending that S.B. No. 1011, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1011, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1011, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE KEY INFORMATION ACCESS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Manahan, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1613) recommending that S.B. No. 1954, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1954, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUSTICES AND JUDGES," passed Second Reading, and was placed on the calendar for Third Reading

with Representatives Manahan, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1614) recommending that S.B. No. 1957, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1957, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Manahan, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1615) recommending that S.B. No. 149, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 149, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Manahan, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1616) recommending that S.B. No. 1370, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1370, SD 1, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1370, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Manahan, Takamine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Manahan, Takamine and Thielen were excused.)

STANDING COMMITTEE REPORTS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1617) recommending that S.B. No. 58, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 58, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Third Reading by a vote of 48 ayes, with Representatives Manahan, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1618) recommending that S.B. No. 923, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Manahan, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1619) recommending that S.B. No. 1444, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1444, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Sonson voting no, and with Representatives Manahan, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1620) recommending that S.B. No. 1528, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1528, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Manahan, Takamine and Thielen being excused.

At 1:00 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 58, SD 2, HD 1
S.B. No. 923
S.B. No. 1444, SD 1, HD 1
S.B. No. 1528, HD 1

THIRD READING

S.B. No. 776:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 776, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Third Reading by a vote of 49 ayes, with Representatives Takamine and Thielen being excused.

S.B. No. 1513:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 49 ayes, with Representatives Takamine and Thielen being excused.

At 1:01 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 776
S.B. No. 1513

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, a point of information. The announcement for the April 2nd Floor presentation is that we are

recognizing the National Small Minority Business of the Year. Is that a businessperson? Or is it a national minority business?"

At 1:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:04 o'clock p.m.

Speaker Say: "Representative Ward, I believe we will be correcting the title of the Resolution."

ADJOURNMENT

At 1:05 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, April 2, 2007. (Representatives Takamine and Thielen were excused.)

FORTY-SECOND DAY

Monday, April 2, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Randy Furushima of Well Spring Covenant Church, after which the Roll was called showing all members present with the exception of Representatives Ching, M. Oshiro, Takamine and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 304 through 307) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 304, dated March 28, 2007, transmitting the Commission on Salaries, Report and Recommendations.

Gov. Msg. No. 305, dated March 27, 2007, transmitting the Hawaii Department of Agriculture's Report of establishment of a federally funded civil service position.

Gov. Msg. No. 306, dated March 22, 2007, transmitting the Department of Taxation's Hawaii Income Patterns Individuals – 2004 Report.

Gov. Msg. No. 307, dated March 30, 2007, transmitting the Department of Human Resources Development Annual Report on Goals and Objectives.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 468) was received and announced by the Clerk:

Sen. Com. No. 468, informing the House that the Senate has, on March 29, 2007, agreed to the amendments, and that said bill has this day passed Final Reading.

S.B. No. 14, SD 1, HD 1	"RELATING TO THE UNIVERSITY OF HAWAII."

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Tokioka introduced Ms. Christian Wilson, an 8th grade student at Kapaa Middle School and Kauai representative to the State Science and Technology Fair. She was accompanied by her father, Mr. Colin Wilson.

Representative Cabanilla introduced Ms. Violeta Arnobit, former President of the Filipino Nurses Organization of Hawaii. She was accompanied by family: her husband, Mr. Perry Arnobit, and Mr. and Mrs. Eleuteria Arnobit, Sr.; members of the Filipino Nurses Organization of Hawaii; and friends, Nancy Walsh, Elsa Talavera, Namnama Baptista, Beth Hoban, Maria Etrads, Emilie Smith, and Carol Andrew.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolution was referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
30	Committee on Transportation
58	Committee on Public Safety & Military Affairs, then to the Committee on Health

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
39	Committee on Energy & Environmental Protection
162	Committee on Human Services & Housing, then to the Committee on Finance

H.C.R. Nos.	Re-referred to:
58	Committee on Energy & Environmental Protection
265	Committee on Energy & Environmental Protection

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
1837, SD1	Committee on Consumer Protection & Commerce

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 295) was announced by the Clerk and the following action taken:

H.R. No. 295, entitled: "HOUSE RESOLUTION COMMENDING HAWAII COVERING KIDS FOR ITS ACCOMPLISHMENTS IN REDUCING THE NUMBER OF UNINSURED CHILDREN AND YOUTH IN HAWAII AND EXPRESSING APPRECIATION FOR ITS ASSISTANCE IN ENROLLING HAWAII'S CHILDREN AND YOUTH IN QUEST AND MEDICAID FEE-FOR-SERVICE PROGRAMS," was jointly offered by Representatives Green, Awana, Berg, Bertram, Brower, Hanohano, Har, Karamatsu, Mizuno, Shimabukuro, Tokioka, Belatti, Chong, Evans, Lee, Magaoay, Nishimoto, Rhoads, Sagum and Yamashita.

Representative Green moved that H.R. No. 295 be adopted, seconded by Representative Mizuno.

Representative Green recognized the work of the Hawaii Primary Care Association's Hawaii Covering Kids project and introduced the Project Director, Ms. Barbara Luksch who was seated on the floor of the House.

Representative Mizuno then introduced Ms. Beth Giesting, Executive Director of the Hawaii Primary Care Association who was also seated on the floor of the House.

Representatives Rhoads, Shimabukuro and Ching also recognized and thanked Hawaii Covering Kids and Ms. Luksch for their dedication and advocacy.

The motion was put to vote by the Chair and carried, and H.R. No. 295 was adopted with Representatives Nakasone, M. Oshiro, Sonson, Takamine and Thielen being excused.

At 12:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1621), recommending that H.R. No. 250, be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 250, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was referred jointly to the Committee on Higher Education and the Committee on Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1622), recommending that H.C.R. No. 315, be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 315, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was referred jointly to the Committee on Higher Education and the Committee on Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1623), recommending that H.R. No. 173, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 173, entitled: "HOUSE RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was referred to the Committee on Higher Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1624), recommending that H.C.R. No. 215, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was referred to the Committee on Higher Education, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1625), recommending that H.R. No. 231, be referred to the Committee on Economic Development & Business Concerns; and

(Stand. Com. Rep. No. 1626), recommending that H.C.R. No. 290, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 231 and H.C.R. No. 290, be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Takumi rose to speak in support of both measures with reservations, stating:

"With reservations. I'd like the next Committee to take a look at this one. While I'm not opposed in principle to Free Trade Agreements, this particular Resolution looks like it was written by the Chamber of Commerce. And when I see the testimony, the only testimony from an organization was from the Chinese Chamber of Commerce.

"I think we need to take a look at, just as an example, the recently concluded U.S., Korea Free Trade Agreement which was just concluded today and the impact that it will definitely have on our State as it relates to preferred drug lists in our Medicaid program. I would also prefer that the title not be simply Urging President of the United States. I certainly don't want the current President to get the idea the State of Hawaii's in favor of fast tracking this particular trade agreement.

"And lastly, Mr. Speaker, I do believe that the U.S. Congress ought to have some say in this matter. Thank you, Mr. Speaker."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of both measures, stating:

"In strong support, Mr. Speaker. The Taiwan delegation, the acting Ambassador came and testified on this matter. And he eloquently pointed out in the Committee that there are certain products of Hawaii that will do good in the Taiwan markets, mainly

papaya, macadamia nuts, and a lot more agricultural products they can bring into their market.

"Right now we bring in flowers and whatnot to our country. And the balance of trade right now is in favor of Taiwan. By having a Free Trade Agreement with them, it allows us to bring more of Hawaii's products to their markets. I also note that Taiwan is not a member of the United Nations so their delegation is very, very aggressive in opening trade agreements with other countries so they will be supported in the world market.

"And yes, I agree that we should look at the Free Trade Agreement. This is not a 'free pass' for them. But I think that this matter should be discussed in this House as far as their equivalency and their fairness. The trade agreement with us needs to be discussed."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 231, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was referred to the Committee on Economic Development & Business Concerns with Representative Evans voting no, and with Representative Thielen being excused; and

H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was referred to the Committee on Economic Development & Business Concerns with Representative Evans voting no, and with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1627), recommending that H.R. No. 247, be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was referred to the Committee on Human Services & Housing, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1628), recommending that H.C.R. No. 308, be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 308, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was referred to the Committee on Human Services & Housing, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1629), recommending that H.R. No. 105, be referred to the Committee on Health; and

(Stand. Com. Rep. No. 1630), recommending that H.C.R. No. 131, be referred to the Committee on Health.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 105 and H.C.R. No. 131, be referred to the Committee on Health, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of both measures, stating:

"In support of these measures and I briefly wanted to explain a little bit about what it's about. The National Council of State Boards of Nursing is comprised of the 59 state and territorial boards of nursing who regulate nurses in the United States. It's the Board of Nursing who issues licenses to all nurses to practice in their respective jurisdictions. The NCSBN Board of Directors has approved a position regarding the shortage of nurses and affirms the need to maintain the standards of practice to best protect the public and uphold U.S. state and territorial licensure standards regardless of whether the nurse is domestically or internationally educated. And these Resolutions encourage our State to adopt standards. And I'd also like to enter some written comments in the Journal."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, every employer should exhibit ethical practices when recruiting for vacant positions. This is especially true when the vacancy is in the field of nursing. As we speak, Hawaii is in the midst of a nursing shortage. This, however, should not detract from ethically recruiting qualified nurses to fill much needed positions within our community. These Resolutions, requesting the Governor to support the ethical recruitment of nurses, keeps Hawaii's standards high and protects our citizens as well.

"The National Council of State Boards of Nursing (NCSBN), which is composed of the 59 state and territorial boards of nursing who regulate nurses in the U.S. and issues licenses to all nurses to practice, supports the ethical recruitment of nurses. In its 2006 Ethical Recruitment of Nurses for Licensure policy statement, the NCSBN stated that they support "the lawful entry of nurses from other countries provided they meet U.S. federal immigration and labor requirements, and obtain and maintain a valid state or territorial license to practice." They also state that ethical recruitment includes: transparency in all communications and any offers of employment; making available all information necessary for an informed decision concerning the circumstances and laws bearing on crossing borders, immigration, labor environment, and the potential new living and working conditions; full disclosure of requirements for nurse competency in the workplace; adoption of high ethical standards in nurse recruiting; and development of sanctions for those engaging in unethical practices.

"It is extremely important that Hawaii keeps its standards high even when facing a nursing shortage and I urge my colleagues to vote in favor of these Resolutions. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"I am speaking on Stand. Com. Rep. Nos 1629 and 1630, and I would like to elaborate more on what the previous speaker said. In strong support on the ethical recruitment of nurses. I've heard a lot of anecdotes. I didn't go to school in the Philippines, but I've heard a lot of anecdotes about illegal recruitment in that country.

"The honoree that I had today came in on a work visa and she tells me that when she was recruited to come to work in New York, she was shown pictures of a beautiful place to live that came with a swimming pool and other amenities. But upon arriving to work for Bellevue Hospital, she was brought to a room about the size of a three by eight foot room with just a cot in there. There was no refrigerator. The bathroom was down the hall. They were given twelve hour shifts to work every day. So what she's showing me is that what is said during recruitment is not the same standard or the same situation as when they arrived. So I strongly support this measure, Mr. Speaker."

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, a comment in support of the Resolutions which I entirely agree with the intent and the purpose which are well done. The only thing is its title. It suggests, implies, imputes that the Governor is supporting unethical recruitment behavior. I know that's not the intent, but it's worded, I would say poorly, improperly and we should be able to do better."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 105, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT THE ETHICAL RECRUITMENT OF NURSES," was referred to the Committee on Health, with Representative Thielen being excused; and

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT THE ETHICAL RECRUITMENT OF NURSES," was referred to the Committee on Health, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1631), recommending that H.R. No. 246, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 246, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE ISSUANCE OF TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES TO RESOLVE DISPUTES," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1632), recommending that H.C.R. No. 307, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 307, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE ISSUANCE OF TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES TO RESOLVE DISPUTES," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1633), recommending that H.R. No. 86, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1634), recommending that H.C.R. No. 109, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1635), recommending that H.C.R. No. 110, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADOPT ADMINISTRATIVE RULES TO ESTABLISH UNIFORM INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR ALL COFFEE GROWN IN HAWAII," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1636), recommending that H.C.R. No. 111, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1637), recommending that H.R. No. 85, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 85, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1638), recommending that H.C.R. No. 108, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1639), recommending that H.C.R. No. 46, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representatives Shimabukuro and Yamashita, for the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1640), recommending that H.R. No. 80, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 80, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE A PROPERTY TAX REDUCTION OR TAX CREDIT FOR, OR SOME OTHER METHOD OF COMPENSATION OR REIMBURSEMENT TO, REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Shimabukuro and Yamashita, for the Committee on Human Services & Housing and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1641), recommending that H.C.R. No. 102, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROVIDE A PROPERTY TAX REDUCTION OR TAX CREDIT FOR, OR SOME OTHER METHOD OF COMPENSATION OR REIMBURSEMENT TO, REAL PROPERTY TAXPAYERS WHO PAY FOR THEIR OWN TRASH COLLECTION SERVICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1642), recommending that H.C.R. No. 281, be referred to the Committee on Finance.

Representative M. Oshiro moved that the report of the Committee be adopted, and H.C.R. No. 281, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you. On Stand. Com. Rep. No. 1642, I'd like to register an aye with reservations. I'd also like to submit some remarks.

"I'm just a little troubled. I see that in the Committee, actually what this Resolution does is request the Department of Health and the Department of Taxation to submit proposed legislation to assist the development and testing of a rapid electrochemical detection product with tax incentives to private companies. There are two specific companies that presented their testimony in support. I have no idea who they are. The Department of Health opposed this Resolution, and the Department of Taxation, while it didn't oppose it, had brief comments that were less than supportive. So those are the problems I have. Thank you."

Representative Meyer's written remarks are as follows:

"I am in support of HCR281, but with some reservations. This Resolution would effectively give a specific company, Eurus Genomics, Inc., a narrowly tailored $15 million tax break not available to other companies in different industries. While the product this company is trying to develop appears worthwhile and of benefit to society – a better way of testing for diseases such as hepatitis C -- so are most products sold by most companies. By giving a few companies a free ride on taxes, all other companies must assume a larger tax load.

"This is fundamentally unfair, and distorts and politicizes the competitive process so essential to a vibrant economy. Government should not be in the business of picking and choosing which companies they would like to succeed or fail – such a collectivist approach toward the economy has been demonstrated over and over again to be inferior to letting the free market sort out the most efficient and rational allocation of scarce resources."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF TAXATION TO SUBMIT PROPOSED LEGISLATION TO ASSIST THE DEVELOPMENT AND TESTING OF A RAPID ELECTROCHEMICAL DETECTION PRODUCT WITH TAX INCENTIVES TO PRIVATE COMPANIES FOR RELATED WORK," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1643), recommending that H.C.R. No. 284, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 284, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR THE USE OF AN ADVANCED VITAL SIGN MONITORING DEVICE," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1644), recommending that H.R. No. 126, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 126, entitled: "HOUSE RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was referred to the Committee on Energy & Environmental Protection, with Representative Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1645), recommending that H.C.R. No. 159, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was referred to the Committee on Energy & Environmental Protection, with Representative Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1646), recommending that H.C.R. No. 179, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was referred to the Committee on Legislative Management, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1647), recommending that H.R. No. 218, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 218, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY OF MAUI TO PROVIDE FOR THE IMMEDIATE REPAIR OF HUI F ROAD, AND URGING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1648), recommending that H.C.R. No. 278, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF MAUI TO PROVIDE FOR THE IMMEDIATE REPAIR OF HUI F ROAD, AND URGING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1649), recommending that H.R. No. 274, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 274, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was referred to the Committee on Economic Development & Business Concerns, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1650), recommending that H.C.R. No. 340, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 340, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was referred to the Committee on Economic Development & Business Concerns, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1651), recommending that H.C.R. No. 242, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 242, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A KAPAA QUARRY ROAD SAFETY TASK FORCE TO CONDUCT A STUDY TO DEVELOP AND RECOMMEND TRAFFIC SAFETY MEASURES FOR KAPAA QUARRY ROAD IN ORDER TO ALLEVIATE DANGEROUS ROAD CONDITIONS AND REDUCE HAZARDOUS DRIVING PRACTICES," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 1652), recommending that H.R. No. 41, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1653), recommending that H.C.R. No. 61, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 41, HD 1, and H.C.R. No. 61, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of both measures with reservations, stating:

"Thank you very much. On Stand. Com. Rep. Nos. 1652 and 1653, I'd just like to register a vote with reservations. These Resolutions are asking the Attorney General and the Insurance Commissioner to conduct a study on whether State and county government contracts are being awarded to out-of-state contractors to the detriment of Hawaii local contractors. I think that this is going down a slippery slope. I think if we're looking for a vendor or somebody to do something for us, I don't think we just automatically would not want somebody from out-of-state, if they are the best qualified and have the best price. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 41, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON PUBLIC CONTRACTS," was referred to the Committee on Finance, with Representative Thielen being excused; and

H.C.R. No. 61, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON PUBLIC

CONTRACTS," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1654), recommending that H.R. No. 232, be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 232, entitled: "HOUSE RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was referred to the Committee on Health, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1655), recommending that H.C.R. No. 291, be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was referred to the Committee on Health, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1656), recommending that H.R. No. 229, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 229, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE HAWAII TOURISM AUTHORITY, AND THE HAWAII VISITORS AND CONVENTION BUREAU TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was referred to the Committee on Tourism & Culture, with Representative Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1657), recommending that H.C.R. No. 288, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 288, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, THE HAWAII TOURISM AUTHORITY, AND THE HAWAII VISITORS AND CONVENTION BUREAU TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was referred to the Committee on Tourism & Culture, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1658), recommending that H.R. No. 224, as amended in HD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 224, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR THE USE OF AN ADVANCED VITAL SIGN MONITORING DEVICE," was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1659), recommending that H.C.R. No. 14, be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES," was referred to the Committee on Education, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1660), recommending that H.C.R. No. 311, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 311, be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No.1660 which is a Resolution asking the Department of Health to determine the feasibility of reducing or eliminating the use of trans fat. I just have some reservations with that."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 311, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE FEASIBILITY OF REDUCING OR ELIMINATING THE USE OF TRANS FAT IN FOOD PREPARATION AND FOOD SERVICE BY HAWAII'S RESTAURANT INDUSTRY," was referred to the Committee on Economic Development & Business Concerns, with Representative Thielen being excused.

Representatives Green and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 1661), recommending that H.R. No. 26, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 26, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN DONATION IN THE STATE OF HAWAII," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1662), recommending that H.R. No. 68, as amended in HD 1, be referred jointly to the Committee on Education and the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 68, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE CARDIOPULMONARY RESUSCITATION TRAINING TO ALL EDUCATION PROFESSIONALS IN THE STATE OF HAWAII," was referred jointly to the Committee on Education and the Committee on Labor & Public Employment, with Representative Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1663), recommending that H.C.R. No. 90, as amended in HD 1, be referred jointly to the Committee on Education and the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 90, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE CARDIOPULMONARY RESUSCITATION TRAINING TO ALL EDUCATION PROFESSIONALS IN THE STATE OF HAWAII," was referred jointly to the Committee on Education and the Committee on Labor & Public Employment, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1664), recommending that H.R. No. 98, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 98, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS," was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1665), recommending that H.C.R. No. 124, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS," was referred to the Committee on Finance, with Representative Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1666), recommending that H.R. No. 140, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 140, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATURE'S KUPUNA CAUCUS TO CONDUCT A STUDY ON ELDER ABUSE AND THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE INFORMATION AND SUPPORT TO THE KUPUNA CAUCUS," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1667), recommending that H.C.R. No. 182, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 182, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE'S KUPUNA CAUCUS TO CONDUCT A STUDY ON ELDER ABUSE AND THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE INFORMATION AND SUPPORT TO THE KUPUNA CAUCUS," was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1668) recommending that H.C.R. No. 170, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1669) recommending that H.C.R. No. 231, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 231, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO ADDRESS CONCERNS REGARDING THE INSPECTION OF PLANTS AND PRODUCTS FROM FOREIGN COUNTRIES TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE," was adopted, with Representative Thielen being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1670) recommending that H.C.R. No. 266, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 266, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO COLLABORATE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE TO DEVELOP A TREE CROP INSURANCE PROGRAM FOR TREE FARMS IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1671) recommending that H.R. No. 175, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 175, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR

SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1672) recommending that H.C.R. No. 217, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," was adopted, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1673) recommending that H.R. No. 114, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 114, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," was adopted, with Representative Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1674) recommending that H.C.R. No. 141, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," was adopted, with Representative Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1675) recommending that H.R. No. 148, be adopted; and

(Stand. Com. Rep. No. 1676) recommending that H.C.R. No. 190, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 148 and H.C.R. No. 190, be adopted, seconded by Representative B. Oshiro.

Representative Manahan rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"House Concurrent Resolution 190 and House Resolution 148 show of support from the State of Hawaii to expedite justice for those Filipinos that risked their lives in the service of the United States of America. These Filipino soldiers have been discriminated against for more than sixty years. These Resolutions provide the benefit of familial companionship to those who arguably need it most. We are simply asking for repayment for those brave Filipino servicemen that want what anybody else wants; support and companionship from their immediate families and dependents.

"Further, we are not asking for anything new, simply the enactment of legislation that has been proved to be important to our country, both locally and federally."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 148, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was adopted, with Representative Thielen being excused; and

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was adopted, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1677) recommending that H.R. No. 236, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 236, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH AT LEAST ONE CIVIC STANDARD AT EVERY GRADE LEVEL FROM K-12 THAT INTEGRATES SERVICE LEARNING AND EXPECTS STUDENTS TO ENGAGE, PARTICIPATE, AND BECOME ACTIVELY INVOLVED IN THEIR COMMUNITIES," was adopted, with Representative Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1678) recommending that H.C.R. No. 296, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 296, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH AT LEAST ONE CIVIC STANDARD AT EVERY GRADE LEVEL FROM K-12 THAT INTEGRATES SERVICE LEARNING AND EXPECTS STUDENTS TO ENGAGE, PARTICIPATE, AND BECOME ACTIVELY INVOLVED IN THEIR COMMUNITIES," was adopted, with Representative Thielen being excused.

Representatives Takumi and Green, for the Committee on Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1679) recommending that H.C.R. No. 106, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 106, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO DISSEMINATE INFORMATION TO PUBLIC SCHOOL STUDENTS AND THEIR FAMILIES ON ACCESS TO COMPREHENSIVE VISION AND HEARING EXAMINATIONS," was adopted, with Representative Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1680) recommending that S.B. No. 1236, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 1236, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Thielen being excused.

At this time, the Chair announced:

"Members, please note the 48-hour notice for Stand. Com. Rep. Nos. 1681 through 1686."

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1681) recommending that S.B. No. 618, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1681 on S.B. No. 618, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 618, HD 1, were made available to the members of the House.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1682) recommending that S.B. No. 987, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1682 on S.B. No. 987, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 987, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1683) recommending that S.B. No. 1161, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1683 on S.B. No. 1161, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1161, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1684) recommending that S.B. No. 1654, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1684 on S.B. No. 1654, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1654, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1685) recommending that S.B. No. 1709, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1685 on S.B. No. 1709, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1709, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1686) recommending that S.B. No. 1529, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1686 on S.B. No. 1529, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1529, SD 2, HD 2, were made available to the members of the House.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representative Thielen was excused.)

THIRD READING

S.B. No. 1509, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1509, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 228, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 228, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I strongly support S.B. 228—Relating to Graffiti, which would require minors who commit graffiti to remove their graffiti from the affected property and to perform community service to remove graffiti from other properties.

"This bill is an important step towards assisting in combating the graffiti problem many of our local communities face. Graffiti severely blights many neighborhoods in our State and wastes thousands of dollars aimed at its removal. This is particularly troublesome for small business and private property owners. Residents in certain neighborhoods are unable to walk from one block to another without coming upon graffiti in one form or another. As Hawaii relies on tourism and natural beauty, graffiti seriously detracts from our State's success.

"By enforcing stricter penalties for Hawaii's Criminal Property Damage law we can help decrease the graffiti rate, assist many communities in combating their graffiti problem and preserve Hawaii's beauty for future generations to come. Further, perhaps with public input, we can explore the option to require that paint and supplies required for removal be provided for at the expense of parents and the minor."

Representative Manahan rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

This issue is very close to my district's heart. Graffiti in our neighborhoods is not merely an eyesore. It decreases community morale, and ultimately hits the taxpayers in our already slim pocketbooks. With the introduction of this program to the Judiciary,

we will be able to bear the costs of these offenses by passing them on to the offenders. More importantly, we must remember that oftentimes these offenders are not career felons or lifetime criminals, but our children, our neighbor's children, or our community's children that simply need a little guidance. This program will allow them to realize how their behavior affects communities, and experience the recognition they sought to gain through their actions."

The motion was put to vote by the Chair and carried, and S.B. No. 228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 755, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 755, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McKelvey voting no, and with Representative Thielen being excused.

S.B. No. 1750, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1750, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 46, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 46, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition to Stand. Com. Rep. No. 1611. This bill is related to government operations, but it probably should be called 'Related to a lack of trust in the Board of Regents in the University of Hawaii to set compensation levels.'

"The bill attempts to make public the salaries of the best and the brightest. Those who we were honoring on the Floor a few days ago, those who we applaud when we see something good come out of the University. The difficulty is that salaries are personnel matters and all personnel matters are private. Even the lawyers who attend to those things are not public. As we know with all the other departments, that is the case.

"The difficulty is that with the commentating note, that we only have to, as the amended bill says, give ten days of the notice to talk about compensation. The Board of Regents already has to give the Lieutenant Governor's office ten days notice to have a meeting. So in effect, it's redundant and in effect, it's private and in an executive session. I'm not sure what this bill does. If anything, the bottom line I guess, is the old adage, Mr. Speaker. If it ain't broke, let's not fix it. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in favor of this bill. I'm not quite sure I understand it correctly, but it refers to the compensation of newly hired employees. And I would take that to mean that literally and that these employees are not prospective members. That was my only query on this bill. If I am reading this incorrectly, I would like to be corrected. Thank you."

Representative Takai rose to speak in support of the measure, stating:

"In strong support. Thank you, Mr. Speaker. This bill in fact amends the law to require the University of Hawaii Board of Regents to produce, no later than ten days, the compensation for newly hired employees, as well as existing employees that will be receiving additional compensation.

"Mr. Speaker, in the year 2000, the voters of this State passed the constitutional amendment providing the University with some additional fiscal and administrative flexibility. That amendment did not give the University the full rights and responsibilities of pretending to be, or giving it the rights to be a private university. The University of Hawaii still exists today as a publicly funded institution of higher education. And I think it's incumbent upon us as policymakers that the request of groups like the University of Hawaii Professional Assembly, to consider the concern of having or allowing the Board of Regents to pass compensation levels, as well as approve newly hired employees for positions like the President, or Chancellors of the various campuses, or any other executive or managerial position.

"In the past, this data was available. In fact, the Legislature used to approve through the budget, the salary levels of each of these employees. What we've done now is we've given that to the University. And with that, I believe, comes some responsibility, one of which is to provide the public with fair notice of what the compensation level is going to be. And to allow the public, including the University of Hawaii Professional Assembly, if they choose, the chance to testify for and against not only the person being considered, but also the salary compensation. So unfortunately, the University has not done that. So through this bill, we're going to require them to do that. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Just a footnote to the previous speaker. And I know he believes very, very, very strongly in autonomy and this body very wisely did grant autonomy a number of years ago. But if we really mean it, we want to make it autonomous, we probably don't want to keep taking it back. You don't want to tell somebody they're free, but by the way check with me on everything that you do before you do it.

"So I think it's one of those areas that eventually the slippery slope of autonomy may go back to where in another five years, repeating what we're doing this year, we may come back to where the University of Hawaii in effect is handcuffed. And I'm not sure that that is the intention of any of us in this body."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. I have some of the very same concerns as the Representative from Hawaii Kai. In any given year we will give the University more autonomy, and then something happens and then we want to take it back. You cannot run a University through consensus of every group there.

"In Committee, people from the University talked about certain positions that are very hard to fill. There are lots of faculty members that are aware that real people get hired at a higher wage than they're getting even though they've been there for twenty years, and they understand the underlying reasons for it. I think this sets up something that is much more of a political situation. The Board of Regents with the President is the Executive Branch, and now you're going to have people coming into this public meeting. It's like advise and consent that's going on in the Senate, probably right this moment, tearing people apart. I don't think that serves our University well. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I think people are confusing the word 'autonomy' with 'accountability'. Really this is about accountability. This currently is about the proposed salaries that will be coming. Currently under the Uniform Information and Practices Act, Chapter 92 of the Hawaii Revised Statues, we're already provided or have the right to get the actual compensation of these individuals.

"But what this bill is doing is saying that when there's going to be a proposed salary increase for what we want to see our public monies going towards, whether we feel that these individuals are worth that amount of money or not, that's something that the public should have some say in. And that's about accountability. This is not about autonomy. We in this body are not doing anything to diminish that autonomy. But what we are requiring is accountability."

Representative Takai rose to respond, stating:

"Mr. Speaker. Second time, in favor. I just wanted to mention that I never called the constitutional amendment that we passed in 2000, a constitutional amendment for autonomy. I've always called it, 'fiscal flexibility'. In fact, I've written probably for the last five years, an explanation of what the voters of this State passed in 2000. I would be more than happy to give that letter to the Representative from Hawaii Kai because I think many people misunderstood as to what in fact the voters of this State passed in 2000.

"It's not a constitutional autonomy amendment. It provides for flexibility. It codifies in the Constitution some of the things that the Legislature had at that time given to the University. It allows the University to do some things right now before even asking us for permission. That's what it does. But this bill does not erode that particular provision passed by the voters in 2000.

"Mr. Speaker, I think people should start taking a look at this bill and understand that the issue that we had a few years ago when the Regents selected a prior President at the compensation level of $442,000, that the public, including the University faculty, did not have a chance to discuss or debate with the Regents that particular individual and more importantly, that particular compensation level until after the Regents adopted the level of compensation, and more importantly, hired that particular individual."

The motion was put to vote by the Chair and carried, and S.B. No. 46, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Meyer and Ward voting no, and with Representative Thielen being excused.

S.B. No. 1011, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1011, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE KEY INFORMATION ACCESS," passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Chang, Finnegan, Hanohano, Har, Meyer, Pine, Sagum and Tokioka voting no, and with Representative Thielen being excused.

S.B. No. 1954, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1954, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUSTICES AND JUDGES," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 1957, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1957, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 149, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 149, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

S.B. No. 1370, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 1370, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am rising on the last bill, expressing reservations. While I have no problem with the Department of Budget and Finance assessing fees for the due diligence it performs for commercial entities seeking special purpose revenue bonds, I fear that large fees could adversely affect small non-profits such as independent schools. I would hope that Budget and Finance would exempt small non-profits, especially schools. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1370, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Third Reading by a vote of 50 ayes, with Representative Thielen being excused.

At 1:21 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 1509, SD 1, HD 1
S.B. No. 228, SD 1, HD 1
S.B. No. 755, SD 1, HD 1
S.B. No. 1750, SD 1, HD 1
S.B. No. 46, SD 1, HD 1
S.B. No. 1011, SD 1, HD 1
S.B. No. 1954, SD 1, HD 1
S.B. No. 1957, SD 1, HD 1
S.B. No. 149, SD 1, HD 1
S.B. No. 1370, SD 1, HD 1

ANNOUNCEMENTS

Speaker Say: "Members, please note your Committee hearing notices on pages A through O of the Order of the Day."

Representative Finnegan: "On behalf of Representative Thielen who couldn't be here today, she just wanted to remind everyone about the Women's Caucus Easter basket drive. Baskets will be collected on Wednesday, April 4th at 2:00 pm on the Chamber level in the rotunda area. Thank you.

ADJOURNMENT

At 1:21 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 3, 2007. (Representative Thielen was excused.)

FORTY-THIRD DAY

Tuesday, April 3, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Johanna Mei Ping Ward, daughter of Representative Ward, after which the Roll was called showing all members present with the exception of Representatives Morita, M. Oshiro, Takamine and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Second Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 308) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 308, dated April 2, 2007, transmitting the Department of Human Services' Annual Report as required by Section 346-5, Hawaii Revised Statutes.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 469) was received and announced by the Clerk:

Sen. Com. No. 469, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 58, SD 2, HD 1 S.B. No. 1528, HD 1
S.B. No. 1444, SD 1, HD 1

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee, on behalf of Representative Yamane and herself, introduced 3rd grade students of Mililani Ike Elementary School, their teachers, Ms. Beth Oka, Ms. Mary Jane Tuvera, Ms. Cheryl Hamane, Mr. Aaron Okamura; and chaperones, Mr. Stanley Tengan, Ms. Sheri Leaman, Ms. Stacy Tanner, Mr. Tham Lum, Mr. Jeffrey Gima, Mr. Wayne Takata Ms. Kim Baker, and Ms. Corie Amsden.

Representative Har introduced her aunt, Ms. Heja Chae and aunt's friend, Ms. Jung Yoo who are missionaries in Cambodia. They were accompanied by her father, Dr. Chester Har.

Representative Ward introduced his wife, Mrs. Faredah Ward. She was accompanied by their friend and Peace Corp volunteer, Dr. Chip Oliver from Washington D.C., with his wife Mrs. Midori Oliver and son, Charles Oliver.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 296) was announced by the Clerk and the following action taken:

H.R. No. 296, entitled: "HOUSE RESOLUTION CONGRATULATING THE 2007 BOYS AND GIRLS CLUB OF HAWAII YOUTH OF THE YEAR KANANI SANTOS, AND YOUTH OF THE YEAR NOMINEES BENJIE BACLIG, AMELIA ARIEL BUTLER, LEHUA KAOPIO, KUN TAULUNG, AND CHRISTIAN WILLIS," was jointly offered by Representatives Har, McKelvey, Nishimoto, Sagum and Shimabukuro.

Representative Har moved that H.R. No. 296 be adopted, seconded by Representative McKelvey.

Representative Har recognized and congratulated Ms. Kanani Santos of the Waianae Clubhouse for being selected as the 2007 Boys and Girls Club of Hawaii Youth of the Year.

Representative Har also recognized and honored the following Boys and Girls Club of Hawaii Youth of the Year nominees who were seated on the floor of the House:

Ms. Amelia Ariel Butler of the Spalding Clubhouse in Kaimuki,
Ms. Lehua Kaopio of the Waianae Clubhouse,
Mr. Christian Willis of the Waianae Clubhouse, and
Mr. Kun Taulung of the Spalding Clubhouse in Kaimuki.

Representative Har also recognized nominee Benjie Baclig of the Waimea Clubhouse on Kauai who was not in attendance.

Representative Har then introduced the following who were seated in the gallery:

Boys and Girls Club of Hawaii Staff, Alliance members and volunteers:
Mr. David Nakata, Executive Director;
Mr. John Fujioka, Staff Member;
Mr. Steve Rodolfich, Former President;
Ms. Lianne Nomura-Siu, Alliance Vice President;
Mr. Chris Aiken;
Ms. Lori Martindale;
Mr. Jeff Lau;
Mr. Scott Simone;
Mr. J.C. Yuen;
Ms. Darcy Yukimura;
Ms. Uma Kayvalum; and
Ms. Mary Gallagher.

Toastmasters
Mr. Nelson Nakagawa; and
Ms. Rene Yamaguchi.

The motion was put to vote by the Chair and carried, and H.R. No. 296 was adopted with Representatives Green, Nakasone, Saiki, Takamine and Takumi being excused.

The following resolution (H.R. No. 297) was announced by the Clerk and the following action taken:

H.R. No. 297, entitled: "HOUSE RESOLUTION COMMENDING AND APPLAUDING UNITED PARCEL SERVICE ON ITS 100TH ANNIVERSARY," was jointly offered by Representatives Manahan and Magaoay.

Representative Manahan moved that H.R. No. 297 be adopted, seconded by Representative Magaoay.

Representative Manahan recognized and honored the United Parcel Service for 100 years of service to our county, and 32 years of service to the people of Hawaii.

Representative Magaoay then recognized and introduced the honorees representing the United Parcel Service in Hawaii who were seated on the floor of the House,

Mr. Ed Shinoda, Hawaii District Manager for UPS;
Mr. Bruce MacRae, Public Affairs Manager for the Pacific Region;
Mr. Gary Lee, Senior Driver; and
Ms. Louise Banglos, Driver in Downtown Honolulu.

Representative Wakai introduced Mr. Benjamin Dorado, UPS Plant Engineering Manager for Southeast California District, and Mr. Gareth Sakakida, Hawaii Transportation Association Managing Director, who were seated in the gallery.

Representatives Ching, Ward and Yamane further recognized and honored the United Parcel Service.

The motion was put to vote by the Chair and carried, and H.R. No. 297 was adopted with Representatives Nakasone, Saiki and Takamine being excused.

At 12:34 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1687), recommending that H.C.R. No. 78, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A LEGISLATIVE INTERIM TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR THE CREATION OF UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1688), recommending that H.R. No. 94, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 94, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1689), recommending that H.C.R. No. 257, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 257, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO DEVELOP A LONG-RANGE, COMPREHENSIVE PLAN FOR THE FUTURE OF KALAUPAPA," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1690), recommending that H.C.R. No. 221, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 221, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPLE PURPOSE, MULTIPLE USER AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1691), recommending that H.R. No. 179, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 179, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPLE PURPOSE, MULTIPLE USER AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1692), recommending that H.C.R. No. 10, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 10, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Tokioka rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Rhoads rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Chong rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Tsuji rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Yamane rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamashita rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of the measure, stating:

"I stand in strong support, Mr. Speaker. I'm a nurse, Mr. Speaker, and the way I look at this is when you're dying on your death bed, and you're destined to die, why not go out with a bang and be high? I'm supposed to be the angel of mercy, Mr. Speaker, and I speak for those people who are in pain. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"Yes, I, too, rise in strong support. This is my Resolution and it really is just for Maui. I want to emphasize that.

"For people who have approached me and said they are against medical marijuana, it's the law. This is the law in the State of Hawaii. People are allowed to get marijuana for certain diseases. But, the problem is getting it. Right now, people have to refer to the 'Black Market' to get their medical marijuana. People who vote against this is basically saying, 'Continue to be a criminal. Continue to give the police something that they have to watch out for,' because there is no way for people to get marijuana right now. They are allowed to grow it, but anybody who's tried knows that it's almost impossible for a lay person to grow marijuana.

"So, marijuana has been declared as something actually that is not worth being illegal since 1969, when President Nixon's basically recommended that it be legalized. And ever since then, science has continually and consistently said that marijuana is not a bad thing. It is something that has been demonized for too long.

"Now, we don't want to be demonizing the people who need it for medical uses, and this just authorizes the County of Maui or encourages them to look to creating family farms that will actually be able to grow this, not only benefiting the medical marijuana folks, but the people who need it. There are people in wheelchairs. There are people who are dying. But it also benefits the family farms so we can make sure the family farms survive as well.

"So I encourage you to take a rational and a logical look at this and be compassionate. This is compassionate use. Try to be compassionate in making sure that people can actually get it."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, I speak in favor. And I want the world to know that I have never inhaled. I would request that the Legislative Management Committee seriously consider amending this bill and have the farms in Kailua, Oahu. Thank you very much."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support with the words of the Representative from Kihei inserted into the Journal as my own. For as long as this measure is moving forward, and it is following the existing law, I think that it deserves our support. If we don't like the existing law regarding medical marijuana, then we should actually change that. This measure is to implement the law which we, as the legislative body that writes and the passes it out, should support. Again, which is for the people that really need it. Thank you, Mr. Speaker."

Representative Magaoay rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On the same measure, I'm standing in opposition. I'd like to correct the speaker from downtown Maui. It's not going to LMG, but it's going to Judiciary. I appreciate the speech from the Representative from Maui, but people have a choice, and basically, I appreciate that from him. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In support, Mr. Speaker. My wife just went through chemotherapy and the doctors at Straub prescribed medical marijuana for her in order to increase her appetite.

"And I might add, Mr. Speaker, one of the dumbest things we ever did was 'Green Harvest' because what we did was we stopped people from using marijuana and we turned them on to ice."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Very briefly, in support. A couple of years ago, two years ago, a physician on the Big Island out of the Volcano area, who was prescribing medical marijuana legally, passed away. His name was Dr. Wenner. He was a brilliant physician and was extremely loved by the Big Island community. He had about 120 patients.

"I knew him socially because I'd grown up in that area for a few years. When he died, all of his prescriptions were suddenly invalidated by the Department of Public Safety. It became a big problem because you had people that had multiple sclerosis. You had people with cancer that were really suffering. They were suffering with bone cancer. The initial response was to invalidate those prescriptions. This was a disaster for some people who really did suffer.

"A lot of letters were written. We wrote to the Public Safety people and they extended the life of those prescriptions briefly, I think, maybe two months. So it gave people kind of a 60-day lease on their suffering and then they were forced to go out and find other doctors to prescribe it. And then, once again, it is legal. We as a State made people suffer. It was really horrible.

"I do have some small reservations about the amounts of marijuana. I don't think people should abuse it, but, when they're no other way, when we don't want people taking too much OxyContin and other almost toxic pharmaceutical medicines. To let someone who's got cancer, or to actually say we're not going to let someone who's got cancer or is suffering with some other chronic disease to have access to this, I think it's really a horrible statement.

"I know we have political reservations, but, we should try to make some sense of this and explain it to our communities; that it really does on occasion make a big difference in people's lives who are suffering. I would urge people to avoid political expediency and take the time to explain to their communities that we're not talking about just getting 'pot' to people who might abuse it, but to people who are suffering. And I will stand in favor of any kind of oversight to make sure people don't abuse this medical privilege. But we should really spend a lot of energy to make this right. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND THE COUNCIL OF MAUI COUNTY TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was referred to the Committee on Judiciary with Representatives Ching, Chong, Har, Magaoay, Marumoto, Meyer, Pine, Rhoads, Takai, Tokioka, Tsuji, Ward, Yamane and Yamashita voting no, and with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Herkes and Magaoay, for the Committee on Consumer Protection & Commerce and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1693), recommending that H.C.R. No. 77, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 77, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON PREDATORY MORTGAGE LENDING IN HAWAII," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Herkes and Magaoay, for the Committee on Consumer Protection & Commerce and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1694), recommending that H.R. No. 198, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 198, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE IDENTITY THEFT TASK FORCE TO IDENTIFY WAYS IN WHICH THE PROCESS OF NOTARIZING DOCUMENTS CAN BE IMPROVED TO REDUCE IDENTITY THEFT," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Herkes and Magaoay, for the Committee on Consumer Protection & Commerce and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1695), recommending that H.C.R. No. 247, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE IDENTITY THEFT TASK FORCE TO IDENTIFY WAYS IN WHICH THE PROCESS OF NOTARIZING DOCUMENTS CAN BE IMPROVED TO REDUCE IDENTITY THEFT," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Herkes and Yamashita, for the Committee on Consumer Protection & Commerce and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1696), recommending that H.R. No. 133, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 133, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO DETERMINE WHETHER LEASES BETWEEN RELATED CAR RENTAL ENTITIES ARE EXEMPT FROM THE GENERAL EXCISE TAX AND IF SO, REQUESTING THE DEPARTMENT OF TAXATION TO APPLY THE EXEMPTION," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Herkes and Yamashita, for the Committee on Consumer Protection & Commerce and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1697), recommending that H.C.R. No. 168, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 168, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO DETERMINE WHETHER LEASES BETWEEN RELATED CAR RENTAL ENTITIES ARE EXEMPT FROM THE GENERAL EXCISE TAX AND IF SO, REQUESTING THE DEPARTMENT OF TAXATION TO APPLY THE EXEMPTION," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented two reports:

(Stand. Com. Rep. No. 1698), recommending that H.R. No. 211, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1699), recommending that H.C.R. No. 264, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 211 and H.C.R. No. 264, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like a ruling on a potential conflict. My law firm might represent 'Olelo, and my law firm also does some work on procurement for 'Olelo," and the Chair ruled, "no conflict."

Representative McKelvey rose in support of both measures, stating:

"Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 211, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE EFFECT OF THE PUBLIC PROCUREMENT PROCESS ON PUBLIC EDUCATION AND GOVERNMENT ACCESS TELEVISION STATIONS," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused; and

H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECT OF THE PUBLIC PROCUREMENT PROCESS ON PUBLIC EDUCATION AND GOVERNMENT ACCESS TELEVISION STATIONS," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1700), recommending that H.R. No. 14, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 14, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE COUNCIL OF THE AMERICAN INSTITUTE OF ARCHITECTS TO

PROMOTE AWARENESS OF FAMILY CAREGIVING NEEDS IN THE DESIGN OF NEW RESIDENCES," was referred to the Committee on Higher Education with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1701), recommending that H.C.R. No. 26, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 26, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE COUNCIL OF THE AMERICAN INSTITUTE OF ARCHITECTS TO PROMOTE AWARENESS OF FAMILY CAREGIVING NEEDS IN THE DESIGN OF NEW RESIDENCES," was referred to the Committee on Higher Education with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 1702), recommending that H.R. No. 38, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1703), recommending that H.C.R. No. 57, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 38 and H.C.R. No. 57, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support and I'd like to submit written comments. I'd like to just briefly state a few things. First, I'd like to just mention that for this particular idea of utilizing the development rights where Aloha Stadium sits currently on Oahu, for something bigger and better is a great idea. And although I don't take ownership of the idea, there are many people that have thought about this particular concept before.

"I want to reference H.B. 282 which was the first measure this Session that was introduced on this topic, and also recognize a couple of resolutions, H.C.R. 39 and H.R. 23, also speaking to this subject. And I mention that because I realize that over the course of the last few months, politics have gotten in the way in some decisions on this Floor and in this body. I will be the first to admit that in this particular case, it has as well.

"I spoke with Congressman Abercrombie a few weeks ago and he's really the champion of this particular issue. I believe that this issue does have merit and we should see it through. I told Congressman Abercrombie at the meeting that whatever leadership chooses in terms of the measure, to move on this particular issue, I will support. I stand here today, Mr. Speaker, encouraged and requesting that the Finance Committee and this whole body move these two measures along because I believe that this particular issue is a good one and needs to be studied. Thank you, Mr. Speaker."

Representative Takai's written remarks are as follows:

"I would like to provide strong support for HCR57 and HR38, which requests the Department of Accounting and General Services to undertake planning activities with respect to a stadium on Oahu. It is not too early for legislation to pass; these Resolutions are going to be very important in years to come, especially once the mass transit system implemented by the City and County of Honolulu has been finalized. The Aloha Stadium is in gross need of repair, and rather than bearing the brunt of the cost, it is easier and more economically feasible to relocate and rebuild the stadium in the Ewa/West Oahu area, where the city has been encouraging development and growth.

"Opened on September 12, 1975, the Aloha Stadium is nearing the end of its useful life. One of the significant problems that the stadium faces is rust. The structural steel that makes up large sections of the stadium was purported to be rust and weather resistant. As the stadium aged, it was discovered that the steel was sensitive to salt-laden air environments like Hawaii. Furthermore, areas within the stadium have poor ventilation, high humidity, were subject to the collection of water and debris, and were continually wetted due to water penetration, all of which promoted corrosion. The protective patina of rust that was supposed to make the steel stabilize failed, and instead, the steel continued to corrode.

"A ten year, $80,000,000 corrosion abatement program was funded in 1985 to try to alleviate the damage. However, the structural certification performed in 1995 failed to test the integrity of the stadium under wind loads, so the structural safety of the stadium under wind loads is still unknown (certification requirements stipulated that the Aloha Stadium, in its entirety, be closed during hurricanes or other similar high-wind conditions).

"With all of its flaws, the cost to repair and maintain the stadium was estimated to be $99,200,000 with an additional $115,400,000 anticipated to be expended for ongoing maintenance over a twenty-year period.

"To invest tax dollars into a deteriorating structure is pure folly. It is far more economically feasible to begin building a new, structurally-sound stadium, which meets safety and ADA requirements. The new stadium could include capabilities as a disaster shelter, which is of special import given the wide-spread disaster during Hurricane Katrina. The proposed rail transit system could also be linked to the new stadium in West Oahu, creating the possibility of a "park and ride" for commuters during weekdays, thus helping to alleviate the heavy East West traffic.

"Waiting too long may be detrimental to Hawaii's economy. Should a major disaster occur, the Aloha Stadium is currently in no shape to withstand any more damage. It makes no sense to spend millions of dollars to extend the life of an inferior structure, which will, despite all efforts, eventually need to be replaced anyway. These Resolutions will begin the intensive planning process that will lay the groundwork for the sale and relocation of the Aloha Stadium, and I strongly support these measures."

Representative Brower rose to speak in support of both measures, stating:

"Mr. Speaker, in strong support. I, too, have spoken to some people regarding this issue. I think it's important. It gives the Legislature a chance to go ahead and take the ball and run with it. And may the words of the speaker from Pearl City, Waimalu be entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Belatti rose to speak in support of both measures, stating:

"I also rise in strong support and I request that the written comments of the speaker from Pearl City be entered as my own," and the Chair "so ordered." (By reference only.)

Representative Berg rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. The comment that we're making room in the area for something bigger or better is relative. Essentially what we're looking at is the proposal to move the stadium out to another area and utilizing the land for development and housing. At this point in time, given all of the consideration we have with infrastructure and the dialogue and

dissention about the light rail system, I think we need to be very discerning, especially as we've heard in hearings that the stadium is in need of repair. I think that the Department of Accounting and General Services actually has their hands full right now. Thank you."

Representative Finnegan rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. With reservations and I'd like to adopt the words of the speaker from Aina Haina, as well as just wanting to say that this is in the middle of my district, Mr. Speaker. And I have been getting some feedback from constituents in my district, and it's of big concern to them. So I'd like to reserve my final vote for when it comes back. Thank you."

Representative Wakai rose in support of both measures with reservations, and asked that the remarks of Representative Takai be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Nishimoto rose in support of both measures with reservations, and asked that the remarks of Representative Takai be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 38, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A STADIUM ON OAHU," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused; and

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO UNDERTAKE PLANNING ACTIVITIES WITH RESPECT TO A STADIUM ON OAHU," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1704), recommending that H.R. No. 181, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 181, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHICH VIOLATIONS REQUIRE THE TIME AND RESOURCES OF THE DISTRICT COURT FOR ADJUDICATION," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1705), recommending that H.C.R. No. 224, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE WHICH VIOLATIONS REQUIRE THE TIME AND RESOURCES OF THE DISTRICT COURT FOR ADJUDICATION," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1706), recommending that H.R. No. 256, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 256, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE MOLUCCA ALBIZIA TREE," was referred to the Committee on Higher Education with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1707), recommending that H.C.R. No. 321, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 321, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE MOLUCCA ALBIZIA TREE," was referred to the Committee on Higher Education with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1708), recommending that H.R. No. 207, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 207, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1709), recommending that H.C.R. No. 260, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 260, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1710), recommending that H.R. No. 259, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 259, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A HOUSE OF REPRESENTATIVES TASK FORCE TO DEVELOP LEGISLATION FOR SMART GROWTH, LAND USE AND DEVELOPMENT," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1711), recommending that H.C.R. No. 165, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A TASK FORCE TO CONSIDER IMPLEMENTING SECTION 201.6, HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED, RELATING TO COMMUNITY BASED GOVERNANCE ON HAWAIIAN HOME LANDS," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1712), recommending that H.C.R. No. 154, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 154, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF LAND MANAGEMENT TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1713), recommending that H.R. No. 9, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE PROCEDURES, IF ANY, THAT OTHER STATES AND JURISDICTIONS UTILIZE TO REVIEW THE DEVELOPMENT OF PROPOSED NEW MAJOR HEALTH CARE FACILITIES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1714), recommending that H.C.R. No. 117, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A STATE TRAUMA SYSTEM," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1715), recommending that H.C.R. No. 53, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1716), recommending that H.R. No. 116, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE HUMAN PAPILLOMAVIRUS IMMUNIZATION AVAILABLE TO INDIGENT PATIENTS AND THROUGH THE TEEN VAX PROGRAM, AND URGING INSURERS TO OFFER HUMAN PAPILLOMAVIRUS IMMUNIZATION TO FEMALE POLICYHOLDERS ELEVEN TO TWENTY-SIX YEARS OF AGE," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1717), recommending that H.C.R. No. 147, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MAKE HUMAN PAPILLOMAVIRUS IMMUNIZATION AVAILABLE TO INDIGENT PATIENTS AND THROUGH THE TEEN VAX PROGRAM, AND URGING INSURERS TO OFFER HUMAN PAPILLOMAVIRUS IMMUNIZATION TO FEMALE POLICYHOLDERS ELEVEN TO TWENTY-SIX YEARS OF AGE," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1718), recommending that H.R. No. 200, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 200, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO SURVEY WHETHER AND HOW WORKERS' COMPENSATION LAWS IN OTHER STATES ARE USED TO COVER EMPLOYEE DISABILITIES CAUSED BY MULTIPLE CHEMICAL SENSITIVITIES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1719), recommending that H.C.R. No. 250, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 250, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO SURVEY WHETHER AND HOW WORKERS' COMPENSATION LAWS IN OTHER STATES ARE USED TO COVER EMPLOYEE DISABILITIES CAUSED BY MULTIPLE CHEMICAL SENSITIVITIES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 1720), recommending that H.R. No. 152, HD 1, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1721), recommending that H.C.R. No. 194, HD 1, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 152, HD 1, and H.C.R. No. 194, HD 1, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I'd like to request a ruling on a potential conflict of interest. At my law firm I represent the citizen's group that is suing Turtle Bay over their expansion," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 152, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused; and

H.C.R. No. 194, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1722), recommending that H.R. No. 153, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 153, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1723), recommending that H.C.R. No. 195, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 195, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Ito and Waters, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1724), recommending that H.C.R. No. 285, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 285, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS AND THE EXECUTIVE BRANCH TO DISCUSS PROPOSALS AND SUBMIT A JOINT REPORT WITH SUGGESTIONS AND RECOMMENDATIONS REGARDING THE INCOME AND PROCEEDS FROM THE PUBLIC LAND TRUST TO AID THE LEGISLATURE IN DETERMINING HOW BEST TO FACILITATE THE STATE'S CONSTITUTIONAL OBLIGATIONS TO NATIVE HAWAIIANS," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1725), recommending that H.R. No. 235, as amended in HD 1, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 235, HD 1, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

Representative Tokioka rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Rhoads rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Chong rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Magaoay rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Tsuji rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Yamashita rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Bertram rose to speak in support of the measure, stating:

"Once again, in strong support. Again, I really ask people to take a look at compassionate use. The idea of are we really offering these people just a ghost? Are we just offering a false promise? That somehow they can take a plant that has been used for thousands of years for medical uses and has no side effects that these OxyContin and other drugs.

"In fact, the highest side effects for people with AIDS when they're taking those drugs are liver damage. Most folks are part of a liver damage group because of the drugs they give them. The drugs, these pharmaceuticals we give them cause so much toxic effect. Marijuana does not have any toxic effects. There is not one registered death because of it. With lung cancer, they actually find that smoking it actually reduces the cancer. We have all this research for you to see. So, either we are offering really, a true choice to folks, or we're just pretending. I certainly encourage you to take a look at this with that in mind. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 235, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR AND THE COUNCIL OF MAUI COUNTY TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was referred to the Committee on Legislative Management with Representatives Ching, Chong, Har, Magaoay, Marumoto, Meyer, Pine, Rhoads, Takai, Tokioka, Tsuji, Ward, Yamane and Yamashita voting no, and with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1726), recommending that H.C.R. No. 12, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 12, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF DEFENSE, CIVIL DEFENSE DIVISION, AND TO REPORT ON FEDERAL GOVERNMENT INITIATIVES TO SHIFT DISASTER PREPAREDNESS, DISASTER RELIEF, AND HOMELAND SECURITY COSTS TO STATE AND LOCAL GOVERNMENTS," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1727), recommending that H.C.R. No. 276, be referred to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE ENACTMENT BY THE CALIFORNIA STATE LEGISLATURE OF A BILL PROPOSING TO IMPOSE A FEE ON THE PROCESSING OF SHIPPING CONTAINERS IN THE STATE OF CALIFORNIA BECAUSE OF THE NEGATIVE IMPACT OF THE FEE ON THE PEOPLE AND THE ECONOMY OF THE STATE OF HAWAII," was referred to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1728), recommending that H.R. No. 204, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE GREENBELTS STRATEGY TO PROMOTE IDENTIFICATION OR DEVELOPMENT OF TRANSPORTATION MANAGEMENT SYSTEMS THAT ARE BASED ON THE REDUCTION OF AUTOMOBILE USE OR ALTERNATIVES TO THE AUTOMOBILE," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1729), recommending that H.C.R. No. 254, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 254, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE GREENBELTS STRATEGY TO PROMOTE IDENTIFICATION OR DEVELOPMENT OF TRANSPORTATION MANAGEMENT SYSTEMS THAT ARE BASED ON THE REDUCTION OF AUTOMOBILE USE OR ALTERNATIVES TO THE AUTOMOBILE," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1730), recommending that H.R. No. 266, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 266, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO OPEN AND RECONFIGURE THE

EASTBOUND SHOULDER LANES FROM MAKAKILO DRIVE TO THE WAIPAHU OFF-RAMP ON THE H-1 FREEWAY DURING THE MORNING RUSH HOURS TO HELP ALLEVIATE TRAFFIC CONGESTION," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1731), recommending that H.C.R. No. 329, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 329, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO OPEN AND RECONFIGURE THE EASTBOUND SHOULDER LANES FROM MAKAKILO DRIVE TO THE WAIPAHU OFF-RAMP ON THE H-1 FREEWAY DURING THE MORNING RUSH HOURS TO HELP ALLEVIATE TRAFFIC CONGESTION," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1732), recommending that H.R. No. 158, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 158, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS," was referred to the Committee on Energy & Environmental Protection with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1733), recommending that H.C.R. No. 200, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS," was referred to the Committee on Energy & Environmental Protection with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1734), recommending that H.R. No. 159, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 159, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO WORK WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was referred to the Committee on Energy & Environmental Protection with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1735), recommending that H.C.R. No. 201, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO WORK WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was referred to the Committee on Energy & Environmental Protection with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1736), recommending that H.C.R. No. 275, be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 275, be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 275, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT ENABLING LEGISLATION TO PERMIT STATE REGULATION OF INTERISLAND AIR CARRIERS BY AN AIR CARRIER COMMISSION ESTABLISHED PURSUANT TO ACT 332, SESSION LAWS OF HAWAII 1993," was referred to the Committee on Consumer Protection & Commerce with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1737), recommending that H.C.R. No. 317, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 317, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. This bill is asking the Department of Transportation to study how to make Honolulu less congested. There are comments in this that are just flat out not accurate.

"On the first page. 'Traffic congestion diminishes air quality and safety', which is true. 'Undermines the State economic health', I'm not sure about that. 'Its residents' quality of life and perpetuates poverty.' I don't happen to agree with that.

"But on the second page, it says, 'Major metropolitan traffic congestion reduction objectives, including preservation of non-toll roads.' We've had a lot of discussion about high occupancy toll roads. I think many of us feel that congestion is the problem in Hawaii and the rail is not going to solve it, and toll roads play a big part and have proven themselves in other parts of the country. And

so for a resolution that's trying to study the causes of congestion and somehow encourage people to get out of their cars, and then say, 'absolutely make sure we preserve no toll roads', it just doesn't make any sense. Thank you, Mr. Speaker."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 317, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT A TRANSPORTATION PERFORMANCE PROGRAM," was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1738), recommending that H.C.R. No. 8, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE PROCEDURES, IF ANY, THAT OTHER STATES AND JURISDICTIONS UTILIZE TO REVIEW THE DEVELOPMENT OF PROPOSED NEW MAJOR HEALTH CARE FACILITIES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1739), recommending that H.R. No. 47, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 47, entitled: "HOUSE RESOLUTION URGING ADOPTION OF THE UNITED NATION'S MILLENNIUM GOALS," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1740), recommending that H.C.R. No. 68, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION URGING ADOPTION OF THE UNITED NATION'S MILLENNIUM GOALS," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1741), recommending that H.C.R. No. 295, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 295, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO CONVENE A HAWAII BROADBAND TASK FORCE TO EXPAND BROADBAND ACCESS AND USAGE IN HAWAII," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1742), recommending that H.C.R. No. 43, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S SPECIAL EDUCATION PROGRAM," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1743), recommending that H.R. No. 169, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 169, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE TEACHERS ASSOCIATION AND THE DEPARTMENT OF EDUCATION TO CREATE CRITERIA AND THE PROCESS FOR DESIGNATING AREAS AS "RURAL" AND "HARD TO FILL" IN ORDER TO ENABLE THE TEACHERS IN THOSE DESIGNATED AREAS TO RECEIVE THE AGREED-UPON ANNUAL SALARY SUPPLEMENT," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1744), recommending that H.C.R. No. 211, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 211, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE TEACHERS ASSOCIATION AND THE DEPARTMENT OF EDUCATION TO CREATE CRITERIA AND THE PROCESS FOR DESIGNATING AREAS AS "RURAL" AND "HARD TO FILL" IN ORDER TO ENABLE THE TEACHERS IN THOSE DESIGNATED AREAS TO RECEIVE THE AGREED-UPON ANNUAL SALARY SUPPLEMENT," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1745), recommending that H.R. No. 141, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 141, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPLEMENTATION OF THE CASH AND COUNSELING PROGRAM IN OTHER STATES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1746),

recommending that H.C.R. No. 183, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 183, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPLEMENTATION OF THE CASH AND COUNSELING PROGRAM IN OTHER STATES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1747), recommending that H.R. No. 146, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 146, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1748), recommending that H.C.R. No. 188, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 188, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1749), recommending that H.C.R. No. 305, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 305, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU COMMUNITY ACTION PROGRAM TO PROVIDE COPIES OF AUDITS CONDUCTED ON BEHALF OF THE STATE," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1750), recommending that H.C.R. No. 20, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 20, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A COST-BENEFIT ANALYSIS OF PROVIDING A TAX EXEMPTION TO ADULT FOSTER HOMES AND CARE HOMES," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1751), recommending that H.C.R. No. 149, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 149, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING SUPPORT FOR MALAMA O KAMALI`I MAKAMAE IN ITS EFFORTS TO DEVELOP CARE HOME FACILITIES FOR ENDANGERED YOUNG CHILDREN FROM LOW-INCOME HOUSEHOLDS, INCLUDING NATIVE HAWAIIAN CHILDREN AT HIGH RISK," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Shimabukuro and Takumi, for the Committee on Human Services & Housing and the Committee on Education presented a report (Stand. Com. Rep. No. 1752), recommending that H.R. No. 147, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS INFANTS, CHILDREN, AND YOUTH IN HAWAII," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Shimabukuro and Takumi, for the Committee on Human Services & Housing and the Committee on Education presented a report (Stand. Com. Rep. No. 1753), recommending that H.C.R. No. 189, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 189, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS INFANTS, CHILDREN, AND YOUTH IN HAWAII," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Shimabukuro and Cabanilla, for the Committee on Human Services & Housing and the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1754), recommending that H.R. No. 264, as amended in HD 1, be referred to the Committee on Higher Education; and

(Stand. Com. Rep. No. 1755), recommending that H.C.R. No. 327, as amended in HD 1, be referred to the Committee on Higher Education.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 264, HD 1, and H.C.R. No. 327, HD 1, be referred to the Committee on Higher Education, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures with reservations, stating:

"May I rise with reservations on Stand. Com. Rep. Nos. 1754 and 1755? Just brief comments about how this is a valuable and important Resolution. However, it becomes so inclusive, I'm afraid it may lose its impetus, because it includes Hawaiians and Pacific Islanders. And as many of us know, homelessness and other

difficulties are being increasingly exacerbated by the migration of people from Micronesia. Studies in and of themselves are sufficient, but when we make the scope so broad and so difficult, I'm afraid we may not come up with really what we're looking for.

"So, my encouragement is to the Committee on Higher Education to narrow down the 288,000 people or so that this Resolution asks to study, and limit it to those who are our brothers and sisters in the south and the Pacific Islands, because those are the ones with the most difficulties.

"As they said in the Committee hearing, if we don't know what the problems of the Hawaiian community are, of this indigenous community, we have been asleep for over a hundred years. So I don't think we need to restudy the study, we need to study the Pacific Islanders. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 264, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CENTER FOR PACIFIC ISLAND STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A TASK FORCE TO IDENTIFY AND ADDRESS THE NEEDS OF PACIFIC ISLANDERS IN HAWAII AND REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO CHARGE RESIDENT TUITION TO PACIFIC ISLANDER STUDENTS," was referred to the Committee on Higher Education with Representatives M. Oshiro, Saiki and Waters being excused; and

H.C.R. No. 327, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR PACIFIC ISLAND STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA TO ESTABLISH A TASK FORCE TO IDENTIFY AND ADDRESS THE NEEDS OF PACIFIC ISLANDERS IN HAWAII AND REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO CHARGE RESIDENT TUITION TO PACIFIC ISLANDER STUDENTS," was referred to the Committee on Higher Education with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1756), recommending that H.R. No. 145, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 145, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE SERVICES IN HAWAII," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1757), recommending that H.C.R. No. 187, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 187, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE SERVICES IN HAWAII," was referred to the Committee on Legislative Management with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1758), recommending that H.R. No. 182, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 182, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE EXAMINER OF DRIVERS TO MAKE FINDINGS OF REASONABLE CAUSE OF INCOMPETENCE BASED UPON REPORTS OF VARIOUS PROFESSIONALS OR PEOPLE," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1759), recommending that H.C.R. No. 225, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 225, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXAMINER OF DRIVERS TO MAKE FINDINGS OF REASONABLE CAUSE OF INCOMPETENCE BASED UPON REPORTS OF VARIOUS PROFESSIONALS OR PEOPLE," was referred to the Committee on Judiciary with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1760), recommending that H.R. No. 106, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 106, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A CAPITOL GIFT SHOP IN THE STATE CAPITOL BUILDING," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1761), recommending that H.C.R. No. 132, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 132, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A CAPITOL GIFT SHOP IN THE STATE CAPITOL BUILDING," was referred to the Committee on Finance with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1762), recommending that S.C.R. No. 39, as amended in HD 1, be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 39, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ENACTMENT OF THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION THAT PROVIDES FEDERAL VETERANS BENEFITS AND SERVICES TO FILIPINO WORLD

WAR II VETERANS," was referred to the Committee on Public Safety & Military Affairs with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1763), recommending that S.C.R. No. 47, as amended in HD 1, be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 47, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE FILIPINO VETERANS EQUITY ACT OF 2007," was referred to the Committee on Public Safety & Military Affairs with Representatives M. Oshiro, Saiki and Waters being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1764) recommending that H.C.R. No. 144, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 144, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SYSTEM TO PERFORM A FEASIBILITY STUDY FOR IMPLEMENTING A SYSTEM WIDE SENIOR CITIZEN VISITOR PROGRAM FOR SENIOR CITIZEN STUDENTS," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1765) recommending that H.R. No. 101, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 101, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO PROCLAIM THE LAST WEEK IN JULY OF EACH YEAR AS CONSERVATION WEEK," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1766) recommending that H.C.R. No. 127, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROCLAIM THE LAST WEEK IN JULY OF EACH YEAR AS CONSERVATION WEEK," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1767) recommending that H.R. No. 95, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 95, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF AMBIENT AIR STANDARDS FOR HYDROGEN SULFIDE EMISSIONS TO SUSTAIN AND PROTECT THE NATURAL BEAUTY AND AIR QUALITY OF THE STATE," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1768) recommending that H.C.R. No. 121, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 121, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF AMBIENT AIR STANDARDS FOR HYDROGEN SULFIDE EMISSIONS TO SUSTAIN AND PROTECT THE NATURAL BEAUTY AND AIR QUALITY OF THE STATE," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1769) recommending that H.C.R. No. 33, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, MATERNAL AND CHILD HEALTH BRANCH, TO STUDY THE ROLE OF GESTATIONAL ENVIRONMENTS, GENTLE BIRTHING PRACTICES, ADULT WELLNESS EDUCATION, DOMESTIC HARMONY AWARENESS, APPROPRIATE AND SUFFICIENT TOUCH, AND THE PRACTICE OF HEALING BIRTH TRAUMA, AND THEIR CONNECTION TO PUBLIC POLICY CONCERNS SUCH AS SUBSTANCE ABUSE, ALCOHOLISM, DOMESTIC VIOLENCE, AND OBESITY," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1770) recommending that H.R. No. 60, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 60, entitled: "HOUSE RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1771) recommending that H.C.R. No. 84, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING ENDORSEMENT OF THE EARTH CHARTER AND ADOPTION OF ITS CENTRAL PRINCIPLES AS PART OF THE FRAMEWORK FOR SUSTAINABLE PLANNING AND DEVELOPMENT," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 1772) recommending that H.R. No. 63, be adopted; and

(Stand. Com. Rep. No. 1773) recommending that H.C.R. No. 87, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 63 and H.C.R. No. 87 be adopted, seconded by Representative B. Oshiro.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 63, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused; and

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO CREATE A REPLACEMENT FOR THE OUTDATED FAST TRACK TRADE AUTHORITY SYSTEM SO THAT UNITED STATES TRADE AGREEMENTS ARE DEVELOPED AND IMPLEMENTED USING A MORE DEMOCRATIC, INCLUSIVE MECHANISM THAT ENSHRINES THE PRINCIPLES OF FEDERALISM AND STATE SOVEREIGNTY," was adopted, with Representatives Herkes, M. Oshiro, Saiki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1774) recommending that S.B. No. 1063, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1063, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Sonson rose to speak in opposition to the measure, stating:

"No vote. I'm voting no just for the one portion, because this bill will require that the nominees would have to campaign before a political Party in order to be selected, prior to having their name submitted to the Governor."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1063, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Sonson, Thielen and Ward voting no, and with Representatives Saiki and Waters being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Saiki and Waters were excused.)

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1775) recommending that S.B. No. 1287, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1287, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Saiki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1776) recommending that S.B. No. 1697, SD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1697, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF "CONTRACTOR" UNDER THE CONTRACTOR REPAIR ACT," passed Third Reading by a vote of 49 ayes, with Representatives Saiki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1777) recommending that S.B. No. 1816, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Takamine voting no, and with Representatives Saiki and Waters being excused.

At 1:13 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 1287, SD 1, HD 1
S.B. No. 1697, SD 1
S.B. No. 1816, SD 1, HD 1

At this time, the Chair announced:

"Members, please note the 48-hour notice for Standing Committee Report Nos. 1778 to 1781 as listed on page 29."

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1778) recommending that S.B. No. 55, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1778 on S.B. No. 55, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 55, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1779) recommending that S.B. No. 784, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1779 on S.B. No. 784, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 784, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1780) recommending that S.B. No. 1675, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1780 on S.B. No. 1675, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1675, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1781) recommending that S.B. No. 1047, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1781 on S.B. No. 1047, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1047, HD 2, were made available to the members of the House.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Meyer introduced Ms. Terri Thomas, President of the Experimental Aviation Association, and fisherman Mr. Mike Trask of the Big Island.

ANNOUNCEMENTS

Representative Thielen: "Mr. Speaker, I wish to thank you and the Members of the House of Representatives for all of your kindness, for your prayers, and your kind words. When I took my husband, Mickey, to Stanford Hospital for serious heart surgery, our children, Laura, Greg, Peter and Dave all were there, too, while Mickey underwent eight and a half hours of heart surgery where they removed a very large aneurism from his aorta. They had to stop his heart for 22 minutes and his system was synthetically functioning pumping blood to his brain and other areas that kept going.

"He came out of surgery extremely confused, extremely weak, as you can imagine. After 10 days in intensive care, he then went to a stroke nursing facility and gradually we have been able to begin to bring him back. He still will require more, less intrusive surgery to cure a heart flutter, but the major thing is, Mr. Speaker, he is going to make it and next Opening Day you're going to see him sitting right here beside me. I thank all of you for your support and your good wishes. Thank you."

Representative Caldwell: "Mr. Speaker, on behalf of not only of the Majority Caucus, but on behalf of every Member of this body, it is nice to have the Representative from Kailua back in our presence. Her voice has been missed. And while that voice can be the thorn in our sides, particularly for the Representative from Kahului and sometimes myself, it's a voice we do want to hear, and I think we've seen through her dedication to her husband the definition of what love is. We welcome her back to this Chamber and we look forward to hearing her voice on a daily basis. Thank you very much, Mr. Speaker, and welcome back to the Representative from Kailua."

Representative Wakai: "Thank you, Mr. Speaker. And a voice that we have grown to adore has gotten older today. I want to announce that Representative Scott Nishimoto has turned 33 today. The world has never been the same and never will be. Congratulations, Scott."

Speaker Say: "Members of the House, if you look on pages A through L of your Order of the Day, those are your public hearing notices which start at 1:30 this afternoon."

ADJOURNMENT

At 1:17 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 4, 2007. (Representative Saiki was excused.)

FORTY-FOURTH DAY

Wednesday, April 4, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Ms. Andrea Jepson, after which the Roll was called showing all members present with the exception of Representative M. Oshiro, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 309) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 309, informing the House that on April 3, 2007, the following bill was signed into law:

H.B. No. 1226, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE." (ACT 005)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 470 through 487) were received and announced by the Clerk:

Sen. Com. No. 470, transmitting S.C.R. No. 3, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE RATE STRUCTURES OF PRIVATE ENTITIES THAT FURNISH WATER USED FOR AGRICULTURAL PURPOSES," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 471, transmitting S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO IMPLEMENT A PILOT FAMILY COURT PARENTING PLAN MODEL PROGRAM IN THE FIRST CIRCUIT FAMILY COURT," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 472, transmitting S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CHILDCARE AND ELDERCARE COMMUNITIES TO ACKNOWLEDGE THE UNIQUE CIRCUMSTANCES OF GRANDPARENTS RAISING GRANDCHILDREN BY SUPPORTING POLICIES AND SERVICES THAT ARE CONDUCIVE TO THAT FAMILIAL RELATIONSHIP," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 473, transmitting S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EACH COUNTY TO EXAMINE ITS CURRENT ZONING LAWS, BUILDING CODES, AND SUBDIVISION REQUIREMENTS AND ELIMINATE ENCUMBRANCES TO FAMILY CAREGIVING AND AGING IN PLACE," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 474, transmitting S.C.R. No. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII EDUCATIONAL POLICY CENTER TO REPORT ON THE RETENTION AND CHANGE IN ASSIGNMENT OF TEACHERS WITHIN THE DEPARTMENT OF EDUCATION," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 475, transmitting S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE P-20 COUNCIL AND THE UNIVERSITY OF HAWAII TO REPORT ON EARLY COLLEGE AWARENESS PROGRAMS FOR ELEMENTARY AND MIDDLE SCHOOL STUDENTS," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 476, transmitting S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED BUILDINGS AT KALIHI VALLEY HOMES SCHEDULED FOR DEMOLITION," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 477, transmitting S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SUBMIT A REPORT WITH INFORMATION REGARDING THE SALARIES OF UNIVERSITY OF HAWAII AT MANOA FACULTY AND ADMINISTRATORS," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 478, transmitting S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON CURRENT INITIATIVES AND DEVELOP A PLAN FOR FUTURE AREAS OF IMPROVEMENT," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 479, transmitting S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON THE LINKING OF FUNDING FOR INDIVIDUAL CAMPUSES WITH PERFORMANCE GOALS," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 480, transmitting S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE UNIVERSITY OF HAWAII AND THE HAWAII AGRICULTURE RESEARCH CENTER TO REFRAIN FROM DEVELOPING, TESTING, PROPAGATING, CULTIVATING, RAISING, OR GROWING GENETICALLY MODIFIED TRADITIONAL HAWAIIAN TARO VARIETIES IN THE STATE OR CONDUCTING ANY TYPE OF RESEARCH THAT WOULD SIGNIFICANTLY IMPACT TRADITIONAL HAWAIIAN TARO VARIETIES," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 481, transmitting S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TEMPORARY LOCATION FOR THE MANOA PUBLIC LIBRARY TO ACCOMMODATE THE COMMUNITY AND STUDENTS DURING THE LIBRARY'S TWO-YEAR CLOSURE," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 482, transmitting S.C.R. No. 192, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 483, transmitting S.C.R. No. 206, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP A TARO SECURITY AND PURITY RESEARCH PROGRAM," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 484, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 46, SD 1, HD 1
S.B. No. 149, SD 1, HD 1
S.B. No. 228, SD 1, HD 1
S.B. No. 755, SD 1, HD 1
S.B. No. 1011, SD 1, HD 1
S.B. No. 1370, SD 1, HD 1
S.B. No. 1509, SD 1, HD 1
S.B. No. 1750, SD 1, HD 1
S.B. No. 1954, SD 1, HD 1
S.B. No. 1957, SD 1, HD 1

Sen. Com. No. 485, transmitting H.C.R No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CHILDCARE AND ELDERCARE COMMUNITIES TO ACKNOWLEDGE THE UNIQUE CIRCUMSTANCES OF GRANDPARENTS RAISING GRANDCHILDREN BY SUPPORTING POLICIES AND SERVICES THAT ARE CONDUCIVE TO THAT FAMILIAL RELATIONSHIP," which was adopted by the Senate on April 3, 2007.

Sen. Com. No. 486, transmitting H.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," which passed Third Reading in the Senate on April 3, 2007.

Sen. Com. No. 487, transmitting H.B. No. 1153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on April 3, 2007.

Representative Caldwell moved to disagree to the amendments made by the Senate to H.B. No. 1153, SD 1, seconded by Representative B. Oshiro and carried. (Representatives Chong and M. Oshiro were excused.)

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative McKelvey introduced Science Fair participants from Maui:

Baldwin High School – Veronika Biskis, Meghan Luther, Kevin Kim, Robert Epstein, Courtney Miyamoto and Chloe Edinger;

Molokai High – Ayla Bicoy;

Lahaina Intermediate – Austin Takemoto and Ty Scott;

Iao Intermediate – Brent Nakagawa, Tyler Maxwell Pappin and Janelle You;

Lokelani Intermediate – Mark Karaviotis; and

Chaperones – Sharon Eno, Resource Teacher; Patricia Maielua, Administrator; and Teri Hamasaki, Administrator.

Representative McKelvey also introduced Maui Chamber of Commerce President, Ms. Pamela Tumpap.

Representative Morita, on behalf of Representatives Sagum, Tokioka and herself, introduced Science Fair participants from Kauai:

Kapaa Middle School – Emma Rausch, Daniel Sanchez, Ty Shiramizu, Christen Wilson and Mr. Jim Cox;

Kauai High School – Nerissa Hoglen, Fran Zylo Jacalne, Riles Martinez, Guy Miller and Mr. Andy Snow;

Kapaa High School – Kara Dastrup, Patrick Tran, Dustin Valdez and Ms. Sheryl Waterman;

Chiefess Kamakahelei Middle School – Ethan Austin-Elbaz and Mr. Fred Sasan; and

Island School – Joy Claypoole, Lauren Claypool, Kelly Culliney, Travis Kim, Griffin Lord, Nicole Malapit, Bree Martin, Caycie Pascual, Melissa Seymour and Sophia Yee.

Representative Evans introduced Science Fair participants from the North Kona and South Kohala area of the Big Island:

West Hawaii Explorations Academy – Kara Epple and Roya Sabri;

Hualalai Academy – Mackenzie Buckner;

Hawaii Preparatory Academy – Katie Ho, Dean Macy, Shasta Rizzi and Gregory Sayday; and

Kanu 'o ka 'Aina Charter School – Polani Kahakalau.

Representative Chang introduced Science Fair participants from the Hilo area of the Big Island:

Connections Public Charter School – Pualani Dalton;

Hilo High School – Nicholas Higa, Keeae Nakatsu and Ken Oyadomari;

Hilo Intermediate School – Jens Beets, Josianne Cabalce-Hotchkiss, Matthew Crowell, Noa Flaherty, Douglass Haswell, Megan Kurohara, Russ Masuda, Hannah Rojeski, Britney Ann Silva and Iosefa Trainer;

St. Joseph Junior-Senior High School – David Awai-Martins, Felicia Hammer and Tessa Sarr;

Waiakea High School – Chad Higa, Norman Kamitaki, Mali'o Kodis and Chelsea Takahashi;

Waiakea Intermediate School – Chad Hara, Kelly Iwasaki, Jenny Murayama, Owen Sandstrom, Mark Seu and Kristen Simons.

Representative Tsuji introduced Science Fair participants, their chaperones and parents from Big Island:

Kea'au High School – Djon Raffniel Marcos, Gregory Morton and Chayata Wongpojanee; and

Ke Kula 'O Nawahiokalani'opu'uiki School – Denyce Donaghy and Becca Hiraishi.

Representative Herkes introduced from Science Fair participants from the Big Island:

Volcano School of Arts and Sciences – Forest Gale;

Kona Waena Middle School – Nicholas Cetraro and Ryley Chong.

Representative Green introduced Science Fair participants from the Big Island:

Kealakehe Intermediate School – Rachel Bianchi, Devin Chong, and Zoe Sims;

Kealakehe High School, Sarah Crawford, Emma Leonard, Dominique Saks, Samantha Texeira and Todd Yamakawa.

Representative Takamine introduced Science Fair participant from Haaheo School, Reginald Antres. He was accompanied by chaperons, Steve Zeiher, Kehau Kalili, Laura Jim, John Constantino, Pascale Pinner and Darlene Moniz.

Representative Finnegan introduced participants in the National Homeschoolers Speech and Debate Competition: the Araki Family – Carolyn, Austin, Alyssa and Isaac; the Kurashige Family – Gaye, Elisabeth and Ana; and Ms. Brittannie Hedrik.

Representative Takamine introduced Student Leadership Program participants from Hilo High School, Honokaa High School, and Kohala High School, accompanied by advisors, Mr. Nathan Morita, Mr. Roy Valera, Ms. Billie Brown, and Ms. Melody Nietfeld.

Representative Takamine also introduced Pacific Buddhist Academy Instructor, Mr. Flynn Corson; and student Mr. Kai Hamasaki.

Representative Sonson introduced Chamber of Commerce of Hawaii Executive Director, Mr. Jim Tollefson and Ms. Sherry Menor; Kauai Chamber of Commerce President, Mr. Randall Francisco; Maui Chamber of Commerce President, Ms. Pamela Tumpap; and NFIB Hawaii State Director, Ms. Melissa Pavlicek.

Representative Green also introduced members of the Massage Therapists Association of Hawaii and the American Massage Therapy Association.

Representative Ching asked that all the Science Fair participants rise to be recognized and introduced her legislative aide, Ms. Colette Devou.

At 12:26 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following concurrent resolution was re-referred to committee by the Speaker:

H.C.R. No.	Re-referred to:
20, HD1	Committee on Human Services & Housing, then to the Committee on Finance

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
866, SD1, HD1	Committee on Tourism & Culture

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representative Takamine was excused.)

UNFINISHED BUSINESS

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1681) recommending that S.B. No. 618, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 618, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I wanted to request that I be able to submit written comments to the Clerk. And just mention that this is I think the least we can do for these veterans who have helped and supported our country during those times years ago."

Representative Takai's written remarks are as follows:

"I strongly support SB618 because it recognizes the efforts and sacrifices of veterans who served in World War II, the Korean Conflict, and the Vietnam War. In the last century, many young persons from Hawaii left school to serve in the Armed Forces as the United States fought World War II, the Korean conflict, and the Vietnam War. These individuals made great sacrifices and suffered great economic and personal losses in order to protect their country and its people and to defend humanity.

"Many of these veterans were not able to continue their education upon returning home because of financial hardship and other personal reasons. Despite educational constraints, these veterans reentered society and made significant contributions to our country through hard work as civilians, while gaining substantial knowledge and skills through work.

"This bill recognizes the commitment and sacrifices that veterans have had to make while serving our country and it allows us to help them fulfill the educational goals that had been cut short by war. I hope that soon Hawaii will be able to grant diplomas to veterans as a gesture of society's gratitude for the sacrifices made during wartime. It is designed to honor the thousands of young men and women who left their homes to serve in the United States Armed Forces during times of global conflict.

"The idea of honoring war veterans by allowing them to receive honorary high school diplomas is not new. Over 30 other states, including, but not limited to: Virginia, Michigan, Ohio, Florida, Missouri, Montana, Kentucky, Mississippi, Massachusetts, and New Jersey have already passed similar legislation. It is very important to me that Hawaii also follows suit and makes diplomas available to every veteran whose education was disrupted due to wartime practices.

"I can tell you from personal experience that being a part of the US Armed Forces is difficult and demanding; we are trying to balance our finances, our jobs and family, and for many of us, our educational goals. Although we all recognize our duty and are willing to serve our nation, the disruption to our personal and professional lives cannot be denied.

"As beneficiaries of their courageous and dedicated service, the people of this State bear a special responsibility toward United States military forces, and I hope that you choose to honor that responsibility today."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1682) recommending that S.B. No. 987, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 987, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1683) recommending that S.B. No. 1161, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1161, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1684) recommending that S.B. No. 1654, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1654, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1685) recommending that S.B. No. 1709, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1709, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1686) recommending that S.B. No. 1529, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1529, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Third Reading by a vote of 50 ayes, with Representative Takamine being excused.

At 12:54 o'clock p.m., the Chair noted that the follow bills passed Third Reading:

S.B. No. 618, HD 1
S.B. No. 987, SD 1, HD 2
S.B. No. 1161, SD 1, HD 1
S.B. No. 1654, SD 1, HD 1
S.B. No. 1709, SD 1, HD 2
S.B. No. 1529, SD 2, HD 2

STANDING COMMITTEE REPORTS

Representative Shimabukuro, for the Committee on Human Services & Housing presented two reports:

(Stand. Com. Rep. No. 1782) recommending that H.R. No. 276, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1783) recommending that H.C.R. No. 344, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 276, HD 1, and H.C.R. No. 344, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in strong support. I want to first of all, thank the very compassionate and very, I believe, wise Chair and Vice Chair of the Human Services Committee and commend them, because I think that this measure can go a far way in being the solution to any possibility of abandoned babies.

"You know this project, Project Cuddle, is what it's called. But it's recognized as a successful, safe and legal alternative to abandonment of babies and is the result of one woman's crusade to prevent infants from being illegally abandoned. It basically approaches the root of the problem which is education. When a woman is very nervous about it, maybe anxious, she understands that she, if she has this number, then she can do the right thing and the baby's taken care of in the right way. And it's all the result of one woman's crusade, Debbie Magnusen and her husband Dave who fostered over thirty drug exposed babies, raising two of their own biological children and eventually adopting five more. And it's a crisis line. It's where people can call and say, 'I've got a problem. I need help.' And I think it's a wonderful solution to a problem of abandonment. Thank you."

Representative Mizuno rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I also stand in support of both Stand. Com. Rep. Nos. 1782 and 1783. I think this will be an excellent additional program added to the State.

"I should note that nothing precludes any private citizen from introducing this to Hawaii. And I will say this; the important thing on hearing both the Concurrent Resolution and Resolution was that the fact that there are 20,000 newborn babies abandoned every year. I think for me, as well as the Committee members, that was the most compelling and daunting statistic that we heard from that hearing. Again, 20,000 newborn babies abandoned every year.

"So I think this is a substantial step in the right direction. However, I do think that this Resolution can also work with the measure that we have moving through the Senate. They can work in concert to help save newborn babies. So again, I stand in strong support of this measure and I'm glad that it recognizes that we have approximately 20,000 newborn babies abandoned every year. Thank you, Mr. Speaker."

Representative Ching rose to respond, stating"

"I just did want to clarify that the testimony did say 20,000 babies in the nation of the U.S."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 276, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT PROJECT CUDDLE AND ASSESS THE FEASIBILITY OF ADVERTISING ITS HOTLINE," was adopted, with Representatives Souki and Takamine being excused; and

H.C.R. No. 344, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT PROJECT CUDDLE AND ASSESS

THE FEASIBILITY OF ADVERTISING ITS HOTLINE," was adopted, with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1784) recommending that H.R. No. 268, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 268, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON HOUSING FOR ESSENTIAL WORKERS," was adopted, with Representatives Souki and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1785) recommending that H.C.R. No. 333, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 333, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY ON HOUSING FOR ESSENTIAL WORKERS," was adopted, with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1786) recommending that H.R. No. 39, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 39, HD 1, entitled: "HOUSE RESOLUTION REQUESTING ALL BRANCHES OF THE UNITED STATES GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE IN FEDERAL WATERS IN THE VICINITY OF THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was adopted, with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1787) recommending that H.C.R. No. 58, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 58, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL BRANCHES OF THE UNITED STATES GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE IN FEDERAL WATERS IN THE VICINITY OF THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was adopted, with Representatives Souki and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1788) recommending that H.C.R. No. 265, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND SUPPORTING THE NOMINATION AND DESIGNATION OF THE NORTHWESTERN HAWAIIAN ISLANDS MARINE NATIONAL MONUMENT, PAPAHANAUMOKUAKEA, AS A WORLD HERITAGE SITE," was adopted, with Representatives Souki and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1789) recommending that S.B. No. 1956, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1956, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. Rep. No. 1789 which basically questions the wisdom of our forefathers and the way that they protected small states like Hawaii from the big states in voting contests, even though maybe once every 200 years there will be such a close tie that we've got to add up all the popular votes and throw out the Electoral College.

"Let's face it. We are one of the smallest in the country and the present system of Electoral College has served us better. Some of the doubts were constitutionally mentioned. How can we actually do this? Can it be 'implementable'? And basically our need is not to improve the process, but improve the voters to get out and actually vote. Not worrying about ties, but worrying about the decreasing number of people not showing up.

"Mr. Speaker, Hawaii's unique. I think we have a system that's unique. It was crafted many years ago. It's worked well and as I've said many times on this Floor, if it's not broke, don't fix it. And if it only breaks once every 200 years, I think that's not a bad ratio. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. As a direct descendant of one of those forefathers, I cast a no vote on this."

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. Under this proposal, the State would become a part of an interstate compact that would require member states to determine the winner of a presidential election by popular vote.

"Under this proposal, it's conceivable that a majority in your state could vote against a presidential candidate and that your state could actually have, by the majority, voted for the loser in a presidential election. By this compact, it's my understanding that if you agree to this, then your electors from your state would have to vote in favor of the winner of the election. I think that is not a good outcome. So Mr. Speaker, I rise in strong opposition to this bill."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I think what I wanted to say was this is really something that we need some more thoughtful debate about. Because what this is saying is, are we really going to be saying that every vote counts and that every vote is equal? Or that some votes are more equal than others? And that is really the problem that we have today with the current electoral system.

"Now people have said, are we going to be questioning the wisdom of our forefathers and I think we really need to look at what they created. At that time, we all remember that slaves were worth three-

fifths of a person. And that wasn't for their right to vote, but that was in the Constitution so that when it came to apportionment and how they were going to decide how to structure the federal government, those slave states wanted to have a bigger population, three-fifths of a person, so that they'd have a bigger representation. And so that translated into the Electoral College because what the founding forefathers wanted to do was to make sure that everybody, even those that were into state's rights, were willing to sign onto this big agreement and not feel that their power was going to be diminished.

"Now I agree, if some people may be concerned that there's a provincial need because Hawaii is a small state. But what we need to do is look at the bigger picture. Is the way we are electing our president currently, the best way to do it? And I would posit that that probably is not so. When you look at the statistics, actually, 99% of current campaign funds for presidential election, all get spent in only 17 states. Seventeen states eat up 99% of the funds. And what this does is makes it so that those 17 states, those toss-up states, are the only ones that the presidential candidates go and visit and go campaign in. And those 17 states allow the debate and the actual agenda of the entire country to be set. Then what happens is the presidential candidates do not even campaign in states where they know it's a foregone conclusion, which way it's going to go. They only go to the toss-up states.

"So it's this reason I think that we need to start looking at are there alternative ways in which we should have our presidential election decided. I would say that I'm not entirely confident that this is the best way, but after 200 years of the Electoral College, I think we need to start looking at a different way. There have been four elections where our national popular vote has not decided who the president is, and instead it went strictly by the Electoral College. That's a very big question for us. Four presidents in our entire nation's history has been decided not by the nation's discretion and who they wanted, but actually by this anachronistic system that really has sort of dismantled the fundamental tenets of democracy which is every person's vote should be treated equally. That is why I'm in strong support."

Representative Ward rose to respond, stating:

"I think there was great wisdom in a few of the points except for one, Mr. Speaker. And having spent three of my four years at USAID writing a book on money and politics, presidential elections are so expensive. It's hundreds of millions of dollars just to get to the seventeen states even though Hawaii is so small, probably we're not going to have too many people being flown out here.

"But my point is we're trying to keep money and politics down. A lot of people in this body are for clean elections. Let's keep it down. If we're saying we want to have more presidential candidates go all around the fifty states, I think we've not even seen the beginning of the costs. We know that some of our candidates have already raised, 20 or 25 million dollars, and it's way out before the season's even beginning. So maybe we can sell Christmas trees in May if we produce it and we start advertising them early enough, but it's going to be costly. Thank you."

Representative Shimabukuro rose in support of the measure and asked that the remarks of Representative B. Oshiro be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just in opposition. This has been a debate that is not new to any legislature and any civic classroom. And it's one that goes on oftentimes. It's one that often comes about as honestly, also when one is disappointed. And it is a very complex issue and there are some very good arguments I believe, on either side. I would like additional written comments, please. I think that to pass something like this is a bit premature. Thank you."

Representative Ching's written remarks are as follows:

"I am in opposition S.B. 1956, Relating to the Agreement Among the states to Elect the President by National Popular Vote.

"The Electoral College forces candidates to appeal to and address concerns of voters who live in both urban and rural areas. They have to in order to win the state and get its electoral votes. Without the Electoral College, candidates would just focus on campaigning in metropolitan areas without having to worry about the very different issues and concerns of rural areas which have smaller populations. This likely will result in large urban centers controlling the election of the President and therefore, the direction of the nation. We as legislators must be mindful against giving this power over so easily to states more populous than Hawaii."

Representative Pine rose to speak in opposition to the measure, stating:

"Just in opposition. This was created so that small states like ours would be more important. And if we do change to the popular vote, we can definitely guarantee that there will be no campaigning in Hawaii."

Representative Bertram rose to speak in support of the measure, stating:

"Strong support. Just to repeat what the Majority Floor Leader said as well. But also just that in my experience, even in my district, people are really disgusted with the Electoral College. They saw what happened in 2000. And people continually talk to me. Well, I don't vote because what does it matter? You know, those four will go wherever they want to go. These electorals will get it this way." They don't even understand it. So whatever we can do to look at other alternative solutions, I think it's going to help people see that we're trying to do something, to bring some kind of sense to this kind of strange thing that we call, 'voting for a President'. Thank you."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1956, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Belatti, Ching, Meyer, Pine and Thielen voting no, and with Representatives Souki and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1790) recommending that S.B. No. 1010, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1010, SD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Morita rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Yamane rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Sonson rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I oppose S.B. 1010, Relating to Certified Public Accountants, which eliminates the ability for government experience to satisfy the experience requirement of the Certified Public Accountant license

"Under current law, an applicant for a CPA license must complete two years of experience, either by working for a CPA firm or by doing comparable accounting work in government or private industry under the guidance of a licensed CPA. This bill would change the law to provide that only experience working for a CPA firm can count toward the two-year requirement for licensing. Comparable experience in government or industry would not be considered.

"There is no rational basis for eliminating the option to substitute government accounting or auditing work for public accounting experience based on the following reasons: 1) much of the accounting and auditing work performed in government, including that of the office of State Auditor Marion Higa, is on par with that of a public accounting firm; 2) any candidate for licensure, regardless of work environment, must be directly supervised by a CPA; and 3) the validity of government accounting and auditing experience to substitute for public accounting experience is examined by, and subject to approval by, the Board of Accountancy.

"Proponents of this bill attempt to justify changing the experience requirements in order to protect public interest. Yet, this bill eliminates the accounting education requirement for taking the examination. The lowering of the education standard is inconsistent with the assertion that current law is not stringent enough. Hawaii would be the only State that would not require an accounting education to sit for the CPA exam. I am perplexed by this inconsistency in SB 1010, SD1. How would lowering education standards protect the public?"

Representative Evans rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Green rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1010, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED PUBLIC ACCOUNTANTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Belatti, Ching, Evans, Finnegan, Luke, Marumoto, Meyer, Morita, Pine, Shimabukuro, Sonson, Thielen, Ward and Yamane voting no, and with Representatives Souki and Takamine being excused.

THIRD READING

S.B. No. 1236, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1236, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 49 ayes, with Representatives Souki and Takamine being excused.

At 1:09 o'clock p.m., the Chair noted that S.B. No. 1236, SD 1, HD 1, passed Third Reading:

ANNOUNCEMENTS

Representative Thielen: "Thank you. Mr. Speaker, the Easter basket presentation will take place at 2 o'clock today and it will be Chamber level as you come in off the main entry, off the circular driveway area. Thank you."

Representative M. Oshiro for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement to hear the following Senate bills at 2:30 p.m., Agenda 1A, in Conference Room 308, with decision making to follow, and the Chair "so orderd."

S.B. No. 323, Relating to High Technology
S.B. No. 600, Relating to Leasehold Conversion
S.B. No. 1804, Relating to the Trauma System Special Fund
S.B. No. 11, Relating to Excise Tax on Health Care
S.B. No. 1779, Relating to Children

Representative Meyer: "Thank you, Mr. Speaker. I just wanted to convey our appreciation for the way this was handled today on the 48-hour notice. Having the Chair of Finance come and discuss it with us in advance. We appreciate that. Thank you."

Representative Brower: "Thank you, Mr. Speaker. Just would like to thank Representative McKelvey for hosting the Chili Contest. For Members or those listening who are still hungry, it's going on in his office on the Third Floor. Thank you."

ADJOURNMENT

At 1:11 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 5, 2007. (Representatives Souki and Takamine were excused.)

HOUSE COMMUNICATION

House Communication dated April 4, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bill:

H.B. No. 1153, S.D. 1

FORTY-FIFTH DAY

Thursday, April 5, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:08 o'clock p.m., with Vice Speaker Karamatsu presiding.

Representative Yamane introduced Master Matthew Fulton, who then delivered the invocation. The Roll was called showing all members present with the exception of Representatives Herkes, Say, Shimabukuro and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second, Thirty-Third, Thirty-Fourth, Thirty-Fifth and Thirty-Sixth Days were approved. (Representatives Herkes, Say, Shimabukuro and Takamine were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 310 and 311) were received and announced by the Clerk:

Gov. Msg. No. 310, informing the House that on April 4, 2007, the following bill was signed into law:

S.B. No. 60, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN TIME SHARE PLANS." (ACT 006)

Gov. Msg. No. 311, dated March 30, 2007, transmitting the Employees' Retirement System's Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2006.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 488 through 528) were received and announced by the Clerk:

Sen. Com. No. 488, transmitting S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ENCOURAGE THE USE OF THE NAME "MOKOLI'I ISLET" AND DISCOURAGE THE USE OF ITS POPULAR NAME "CHINAMAN'S HAT"," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 489, transmitting S.C.R. No. 62, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A REVIEW OF HOW OTHER STATES AND JURISDICTIONS ENSURE THAT WARRANTIES AND MAINTENANCE AGREEMENTS ARE EITHER EXEMPTED FROM PAYMENT OF ADDITIONAL TAXES OR TAXED AT THE WHOLESALE RATE," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 490, transmitting S.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO HONOR JOHN PAPA 'I'I BY DECLARING AUGUST 3, 2007, AS JOHN PAPA 'I'I DAY," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 491, transmitting S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE OFFICE OF HAWAIIAN AFFAIRS NATION-BUILDING PLAN, HO`OULU LAHUI ALOHA, TO RAISE A BELOVED NATION," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 492, transmitting S.C.R. No. 102, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES AND STUDY THE EFFECTIVENESS OF THE ADMINISTRATIVE RULES RELATING TO INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR HAWAII-GROWN COFFEE," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 493, transmitting S.C.R. No. 103, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONVENE A WORKING GROUP OF STAKEHOLDERS TO PROVIDE AN ECONOMIC ANALYSIS OF THE INCENTIVE MEASURES APPROVED FOR IMPORTANT AGRICULTURAL LANDS," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 494, transmitting S.C.R. No. 138, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT XERISCAPING TO DECORATE ROADWAYS, MEDIAL STRIPS, ROUNDABOUTS AND OTHER AREAS UNDER ITS JURISDICTION," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 495, transmitting S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A KAPAA QUARRY ROAD SAFETY TASK FORCE TO CONDUCT A STUDY TO DEVELOP AND RECOMMEND TRAFFIC SAFETY MEASURES FOR KAPAA QUARRY ROAD IN ORDER TO ALLEVIATE DANGEROUS ROAD CONDITIONS AND REDUCE HAZARDOUS DRIVING PRACTICES," which was adopted by the Senate on April 4, 2007.

Sen. Com. No. 496, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 1287, SD 1, HD 1
S.B. No. 1816, SD 1, HD 1

Sen. Com. No. 497, dated April 4, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the House to the following Senate Bills:

56, SD1, HD1	Hee, Chair; Kokubun, Nishihara, Gabbard
920, SD1, HD1	Taniguchi, Chair; Espero, Slom
921, SD1, HD1	Taniguchi, Chair; Espero, Slom
1528, HD1	English, Chair; Hee, Co-Chair; Gabbard

Sen. Com. No. 498, dated April 4, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

25, HD1, SD1	Sakamoto, Chair; Nishihara, Tokuda, Gabbard
158, SD1	English, Chair; Inouye, Gabbard
272, HD1, SD1	Taniguchi, Chair; Espero, Ihara, Slom
349, SD1	Inouye, Chair; English/Fukunaga, Co-Chairs; Hemmings
389, HD1, SD1	Hee, Chair; Kokubun, Nishihara, Gabbard

714, HD 2, SD1	Kokubun, Chair; English, Co-Chair; Tokuda, Slom
931, HD1, SD1	English, Chair; Tsutsui, Gabbard
1104, HD1, SD1	Kokubun, Chair; Fukunaga, Slom
1248, HD1, SD1	Hee, Chair; Kokubun, Nishihara, Gabbard
1253, HD1, SD1	Hee, Chair; Kokubun, Nishihara, Gabbard
1423, SD1	English, Chair; Hooser, Gabbard
1513, HD1, SD1	Hee, Chair; Kokubun, Nishihara, Gabbard

Sen. Com. No. 499, transmitting H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 500, transmitting H.B. No. 421, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 501, transmitting H.B. No. 429, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 502, transmitting H.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 503, transmitting H.B. No. 1007, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SELF-SUFFICIENCY," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 504, transmitting H.B. No. 1225, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 505, transmitting H.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 506, transmitting H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 507, transmitting H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 508, transmitting H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 509, transmitting H.B. No. 1907, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 510, transmitting H.B. No. 13, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 511, transmitting H.B. No. 14, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 512, transmitting H.B. No. 17, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 513, transmitting H.B. No. 92, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 514, transmitting H.B. No. 334, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 515, transmitting H.B. No. 506, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 516, transmitting H.B. No. 692, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 517, transmitting H.B. No. 831, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 518, transmitting H.B. No. 870, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 519, transmitting H.B. No. 899, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 520, transmitting H.B. No. 1014, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 521, transmitting H.B. No. 1120, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 522, transmitting H.B. No. 1334, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 523, transmitting H.B. No. 1353, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 524, transmitting H.B. No. 1361, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 525, transmitting H.B. No. 1364, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE

RENT SUPPLEMENT PROGRAM," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 526, transmitting H.B. No. 1368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 527, transmitting H.B. No. 1411, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on April 4, 2007.

Sen. Com. No. 528, transmitting H.B. No. 1902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," which passed Third Reading in the Senate on April 4, 2007.

Representative Caldwell moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative B. Oshiro and carried: (Representatives Herkes, Say, Shimabukuro and Waters were excused.)

H.B. No. 13, H.D. 1, S.D. 1
H.B. No. 14, H.D. 1, S.D. 1
H.B. No. 17, H.D. 1, S.D. 1
H.B. No. 92, H.D. 1, S.D. 1
H.B. No. 334, H.D. 1, S.D. 1
H.B. No. 506, H.D. 1, S.D. 1
H.B. No. 692, H.D. 2, S.D. 1
H.B. No. 831, H.D. 2, S.D. 1
H.B. No. 870, H.D. 1, S.D. 1
H.B. No. 899, H.D. 1, S.D. 1
H.B. No. 1014, H.D. 2, S.D. 1
H.B. No. 1120, H.D. 2, S.D. 1
H.B. No. 1334, H.D. 1, S.D. 1
H.B. No. 1353, H.D. 1, S.D. 1
H.B. No. 1361, H.D. 1, S.D. 1
H.B. No. 1364, H.D. 2, S.D. 1
H.B. No. 1368, S.D. 1
H.B. No. 1411, H.D. 2, S.D. 1
H.B. No. 1902, S.D. 1

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee, on behalf of Representative Yamane and herself, introduced SkillsUSA students from Mililani High School.

Representative Cabanilla, on behalf of Vice Speaker Karamatsu, Representatives Sonson and Yamane, introduced SkillsUSA students from Waipahu High School and Waipahu Intermediate School, and their teachers Tim Ing, Steve Nagata, Renee Blue and Gerry Renion.

Representative Cabanilla, on behalf of Representative Pine and herself, introduced members of the Campbell High School Girls Varsity Soccer Team, OIA Division II State Champions. They were accompanied by coaches, Michael and Anna Whitfield, Shawn and Reynette Whitfield, Acting Director Mr. Glenn Flores, and Vice Principal Mr. Samuel Delos Reyes.

Representative Pine, on behalf of Representative Cabanilla and herself, introduced SkillsUSA students from Campbell High School and their advisors, Troy Suioka, Justin Dela Reyes and Wendell Tashiro.

Representative Finnegan introduced SkillsUSA students from Radford High School, and their advisor, Mr. Lane Yokoyama.

Representative B. Oshiro, on behalf of Representative Takai, Finnegan and himself, introduced SkillsUSA students from Aiea High School Kaylyn Dunhour, Chastity Goodman, Bryson Ho, Jarez Matsunami, Zachary Ronin-Krugh, Kenneth Ubanti and Michael Wang. They were accompanied by teachers: Ms. Corena Talioaga, Club Advisor, and Mr. Ken Kang.

Representative McKelvey introduced SkillsUSA students from Lahaina Intermediate School: Nathan Pallet, Austin Takemoto, Jackson Britt, Ty Scott, Ciara Allen, Kailia Nip, Latisha Cajudoy. They were accompanied by advisors, Mr. Tony Griffith and Mr. Daryl Munatake; and chaperone, Mr. Joey Tempo.

Representative Tokioka introduced SkillsUSA students from Chiefess Kamakahele Middle School, Joel Elmore, Brian Haz, Beau Kohatsu; and teacher, Mr. Justin Carvalho.

Representative Morita introduced SkillsUSA students from Kapaa Middle School, and teacher, Mr. Ryan Terao.

Representative Har introduced Jr. SkillsUSA students from Kapolei Middle School, and their advisors, Ms. Luana Viveiros, Ms. Ariel Villanueva, and Mr. Scott Hoel.

Representative Takumi introduced SkillsUSA students from Highlands Intermediate School: Iokepa Alcantara, Niki Aihara, Jasmine Kekaula, Ferd Pelaez and Brittany Stycheff-Statereporter. They were accompanied by their advisors, Mr. Darryl Nakagawa and Ms. Jennifer Lum.

Representative Yamane introduced 3rd grade student from Mililani Uka Elementary School, Matthew Fulton who gave today's invocation. He was accompanied by his mother Mrs. Robin Fulton, and grandparents Mr. Steve and Ruth Ann Fulton.

At 12:22 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:42 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
3, SD1	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
10	Committee on Human Services & Housing, then to the Committee on Judiciary
21	Jointly to the Committee on Human Services & Housing and the Committee on Health
23	Jointly to the Committee on Human Services & Housing and the Committee on Health
56, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment
67	Jointly to the Committee on Higher Education and the Committee on Education

69	Committee on Human Services & Housing, then to the Committee on Finance
73, SD1	Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Finance
78, SD1	Committee on Education
79	Committee on Higher Education
95, SD1	Committee on Higher Education, then to the Committee on Agriculture
166	Committee on Education, then to the Committee on Finance
192	Committee on Agriculture
206	Committee on Agriculture

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolutions were re-referred to committee by the Speaker:

H.R. No.	**Re-referred to:**
257	Jointly to the Committee on Human Services & Housing and the Committee on Health

H.C.R. Nos.	**Re-referred to:**
204	Committee on Human Services & Housing, then to the Committee on Finance
322	Jointly to the Committee on Human Services & Housing and the Committee on Health

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that S.B. 866, S.D. 1, H.D. 1 has been re-referred solely to Committee on Tourism and Culture per Committee Referral Sheet No. 48 that was placed on your desk yesterday. The Committee on Judiciary waived its referral to this measure and, therefore, it's appropriate for the House to consider the action for passage on Third Reading."

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on S.B. No. 866, SD 1, HD 1. (Representatives Berg, Herkes, Saiki, Say, Shimabukuro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1312, recommending referral to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Berg, Herkes, Saiki, Say and Shimabukuro were excused.)

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Herkes, Saiki, Say and Shimabukuro were excused.)

S.B. 866, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 866, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I believe that this is a bill that changes how the Board of Directors are selected to the Tourism Board. It takes away a great deal of the power that the Governor had. It also creates positions for people in various areas. This is very much like the bill that we've already passed on how to select the Board of Regents. It's one of those 109 bills that have been moving through the Legislature for the last four years. I simply cannot support it and I hope that many others in this Chamber will also vote no. Thank you."

Representative Yamane rose, stating:

"Mr. Speaker, I think she may be talking about a different measure. This measure is addressing the two-year break between being on the Board of HTA, versus being on the Board of HVCB. Right now, there are rules that state that.

"People in the industry supported this bill, Mr. Speaker. Basically, because HVCB falls under HTA, it addresses the issue of the appropriateness of having one board member moving back and forth. So this will actually ensure or encourage more autonomy and reduce any concern of special interest. It has nothing to do directly with the issue of specialized appointments. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I think this bill actually comes from a recommendation with the Special Master's Report to the Hawaii Tourism Authority on recommendation regarding the Hawaii Visitors and Convention Bureau dated December 31, 2003. So I think we're just following the Special Master's recommendation. Thank you."

Representative Meyer rose, stating:

"Thank you, Mr. Speaker. I appreciate that clarification. In looking at this Order of the Day just saying, 'Relating to Tourism, Hawaii Tourism Authority Board of Directors', I had this mixed up with another bill. Thank you. I would like to have the Clerk change my vote from no to yes."

The motion was put to vote by the Chair and carried, and S.B. No. 866, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 47 ayes, with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

At 12:47 o'clock p.m., the Chair noted that S.B. No. 866, SD 1, HD 1, passed Third Reading.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1778)

recommending that S.B. No. 55, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 55, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading by a vote of 47 ayes, with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1779) recommending that S.B. No. 784, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 784, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading by a vote of 47 ayes, with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1780) recommending that S.B. No. 1675, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1675, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," passed Third Reading by a vote of 47 ayes, with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1781) recommending that S.B. No. 1047, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1047, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 47 ayes, with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

At 12:48 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 55, SD 1, HD 2
S.B. No. 784, SD 1, HD 2
S.B. No. 1675, SD 1, HD 1
S.B. No. 1047, HD 2

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1791) recommending that H.R. No. 58, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 58, entitled: "HOUSE RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1792) recommending that H.C.R. No. 82, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented two reports:

(Stand. Com. Rep. No. 1793) recommending that H.R. No. 233, be adopted; and

(Stand. Com. Rep. No. 1794) recommending that H.C.R. No. 292, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 233 and H.C.R. No. 292, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I am in strong support of H.R. 233 and H.C.R. 292, which recognize the Nuuanu-Liliha Historic Corridor.

"Historic corridors are geographic areas containing buildings, sites, objects, and vistas of natural, historic, geographic, or architectural significance. They are associated with persons or events important to understanding the history and culture of Hawaii.

"The Nuuanu-Liliha corridor uniquely reflects the three major eras of Hawaii's dynamic history, from pre-unification of the islands by Kamehameha the Great, to the monarchy period, and finally to the pre-Statehood era. The area houses one of only three royal palaces in the nation, as well as the location where King Kamehameha defeated his last opponent and unified the Hawaiian Islands. There are numerous sites that enjoy the distinction of being listed on either the State or National Historic Registries, or both, including the Queen Emma Summer Palace and Grounds, the Sanju Pagoda, and the Kawananakoa Playground. In addition to these iconic historic locations, Nuuanu houses the Walker Estate, built in1905, which features what is thought to be the oldest Japanese gardens in Honolulu and is one of the last homes of its kind remaining in the area. Liliha is said to be the birthplace of *saimin*, and home of the first L&L Drive-In, now a national chain, which opened on Liliha Street in 1959. Our very own Ellis Island, the area reflects all of Hawaii through its myriad of multicultural temples, its quaint "frozen in time" mom and pop stores from the 1940s and 1950s pre-Statehood days, and most obviously, some of the most important natural and cultural resources of our State and nation.

"The Chieftess Liliha, namesake of the Liliha area, is home to many religious denominations, from the Ma'ema'e Chapel (1863) to the Young Buddhist Association (1900) to St. Luke's Episcopal Church (1903) to the Korean Christian Church (1918). Liliha reflects many of the State's health systems, with Kuakini Health Systems, St. Francis Medical Center, Rehabilitation Hospital of the Pacific, and almost two dozen additional medical clinics and therapy centers. The area, which houses four of the State's consulates, is named after the important historical figure Chieftess Liliha, Governess of Oahu and was selected by students of Farrington High School as the subject of the documentary "Triumph and Tragedy: The Story of Chieftess Liliha," debuting early May.

"I ask your support for these Resolutions towards the preservation of Hawai`i's unique cultural heritage."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 233, entitled: "HOUSE RESOLUTION RECOGNIZING THE NUUANU-LILIHA CORRIDOR AS THE NUUANU-LILIHA HISTORIC

CORRIDOR," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused; and

H.C.R. No. 292, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE NUUANU-LILIHA CORRIDOR AS THE NUUANU-LILIHA HISTORIC CORRIDOR," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representatives Cabanilla and Green, for the Committee on International Affairs and the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1795) recommending that H.R. No. 103, be adopted; and

(Stand. Com. Rep. No. 1796) recommending that H.C.R. No. 129, be adopted.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 103 and H.C.R. No. 129, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Stand. Com. Rep. No. 1795 and 1796. This is a bill dealing with the Global Gag Rule. The bill is requesting our Congressional delegation to support the Global Democracy Promotion Act which would repeal the Global Gag Rule and release funds for family planning programs in international countries.

"When President Bush was elected to office, one of the legs he campaigned on was the fact that he was a pro-life candidate. He was elected by a large majority of Americans. So, one of the first things he did after he was inaugurated was ask for this Global Gag Rule, which in essence would say that we would send money for assistance to international countries, but we would not allow any of those dollars to be spent for abortions. The money could be used for contraception, but not for abortions. To help in disease, but not in abortions. And in many ways, we sent thousands and thousands of dollars. But the Gag Rule was that none of those dollars would be used to kill a child *in utero*.

"I would not want to be a party to this. I felt that it was a very courageous thing that the President did and so I would like to register a very strong no on these two Resolutions. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of both measures, stating:

"Thank you. Mr. Speaker, I rise to cast a very strong aye vote on this measure. Mr. Speaker, if Members will take a look at the Resolutions' language, and I'm going to read from one of the paragraphs: 'Whereas, the Global Gag Rule bans foreign family planning programs that receive financial aid from the United States from using their own monies to provide counseling on abortion services, family planning advocacy referrals and other services to women.' In other words, the Gag Rule says to these foreign family planning programs, that you can't use your own money, your own money, to provide counseling on abortion services, family planning advocacy referrals, and other services to women.

"I'm ashamed of the Gag Rule, Mr. Speaker, and I think that passing this Resolution sends a clear message to our Congressional Delegation that we want them to move ahead and repeal the Gag Rule. Thank you,"

Representative Caldwell rose to speak in support of both measures, stating:

"Mr. Speaker, I'd like to incorporate the words of the Representative from Kailua as if they were my own, and I would also like to join her in saying I think it's a very shameful thing that our country has done. The last time I looked, women in our country, in our State, have the right to choose. And yet we have an Administration at the federal level that wants to deny that right to women throughout the world, who have access to funds that are being denied to them because of a policy handed down to these NGOs, if they're mixing federal money with money obtained, whether it be from the Gates Foundation or from other organizations.

"It's shameful, and we should allow family planning to be promoted throughout the world. And the idea of being told about the use of an abortion is something that's part of that. Thank you very much, Mr. Speaker."

Representative Ward rose to speak in opposition to both measures, stating:

"I rise in opposition to the measure. Having worked at USAID where we have given out literally hundreds of thousands, and billions of condoms, we have done more for family planning that any other nation. And I can see by the essence of what's being said on the Floor, this is a very divisive issue, not only in our country, but in the world. It comes up in the UN all the time.

"It's essentially a coalition of some of the Americans and the Muslim countries that have kept out abortions out of the mainstream of international development. So, what we've got here is essentially as the first speaker said, it's not that your country cannot use your own funds. It's just saying don't mix it up with U.S. money funding those abortions.

"And abortions are going on all over the world, so, this is not denying anybody from doing abortions. Most countries have chosen not to use abortion, and we are increasingly, as a nation, decreasing abortions. In fact, in Hawaii, the number of abortions have gone down by the hundreds over the last ten or fifteen years, even though family planning for abortions has decreased. So less money has actually resulted in less abortions in this country because the trend is the more we realize that those are children in the womb, the more we realize this is a life, not a choice, and that's where the direction of this bill is going to reverse what, in effect, as the previous speaker has said, is a very bold stand for life. Our country began with the right to life, liberty, and the pursuit of happiness. That's what this is about. Thank you."

Representative Takumi rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. In strong support. I just want to make two points to correct some historical inaccuracies the first speaker made. The current President Bush did not win by an overwhelming majority in this country. President Bush got 50.7% of the popular vote and John Kerry got 48.3%. By no means is that a landslide victory.

"The second point, Mr. Speaker, the 62 million voters in this country that voted for the current President, I suspect, voted for him for broad range of reasons, not necessarily and simply because he happens to be pro-life. Now for the life of me, I don't know why anybody voted for the current President, but that's my personal opinion. Thank you very much, Mr. Speaker."

Representative Lee rose to speak in support of both measures, stating:

"I rise in support and I would like to have the words of the Majority Leader and the Representative from Kailua entered as my own. And I'd just like to enter written comments.

"Actually, I want to say that this really isn't about abortion, so I wish we could get off of that subject. Basically, the Global Gag Rule

is an unjustified intrusion into the private physician-patient relationship and it prevents women from receiving certain necessary healthcare services. So I urge all my colleagues to vote in favor of this Resolution. Thank you."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, I think we would all agree that for the most part, people should be able to run their own affairs without the intervention of others. This is especially true when "others" means another country.

"At the beginning of our current President's administration a policy known as the "global gag rule" was enacted that essentially bans foreign NGO's in countries that receive financial aid from the United States from using *their own moneys* to provide counseling on family planning services, family planning advocacy, referrals and other services to women. It is one thing to restrict the use of U.S. funds entering other countries but to restrict the use of a country's own funds goes against the fundamental concept of our democracy.

"These Resolutions request Hawaii's congressional delegation to support the Global Democracy Promotion Act, which would repeal the "global gag rule" and release much-needed funds for international family planning programs.

"The "global gag rule" is an unjustified intrusion into the private physician-patient relationship that prevents women from receiving certain necessary healthcare services and I urge all my colleagues to vote in favor of these Resolutions. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. While the Chairman of Education brings up this close election, I did not say, 'the majority'. I said, 'a large majority of people'. I didn't say, 'won by an overwhelming majority'. We all know that was a close race. It's just the fact that he had the guts to stand up for what he said he believed in, which few politicians do. They've always got their finger up to the wind to see, well, who am I going to make mad here?

"We're looking at a belief that it's not right to kill a human being and that's what he was standing up for, and that's what I'm standing up for. It's just ironic, I think, that we have such strong feelings about not removing any funds so that some woman can't have an abortion, when we argue vehemently here that we must do everything possible to protect a brand new child from being dumped in the back of a truck or in the garbage can. What's the difference? Life is life.

"This is a waste of paper, requesting Hawaii's Congressional delegation to support this. Mr. Speaker, we know the position of the four Congressional members from this State. They will all go along with this. They don't need us to encourage them. This has always been their position. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, I rise in strong support with a small amount of reservation on it. This matter was first heard in my Committee and I allowed it to be scheduled for hearing because I believe that education is a great part in population control. And in those countries in the world, there are a lot of women in poverty with too many children. And family planning deals a lot with education, but not necessarily abortion, Mr. Speaker. It's very, very unfortunate that this good measure by my colleague from Mililani who introduced these Resolutions are being taken so negatively. We need to educate all the women citizens in the world about their options, about things that they can do to control the number of children that they will have, especially they don't have the means to provide for them.

"We in this country are very strongly for education and we believe that every woman should be educated in their options and in their family planning. We should extend that to the rest of the world, Mr. Speaker. And passing this measure is an important step towards that direction. Thank you."

Representative Souki rose to speak in support of both measures, stating:

"Mr. Speaker, I speak very strongly in favor of these Resolutions for two particular reasons. One, I had the honor of being one of the first in the State to run a family planning program on Maui that later extended statewide. That was a number of years ago. And the family planning program does not only include contraception and abortions and those kinds of things. It includes education mostly, as the previous speaker mentioned, on the need for planning and spacing your intervals in your relationships. And, in fact, it follows a lot of the religious principles where you have your relations within certain times and not in other times. And through this process of education, you can have a planned family.

"Now, the other item is the crusade syndrome that this nation of ours has. That we need to impose our will and our feelings to every country throughout the world. This is what makes many nations in the world despise us; that we know better than them. That unless you follow our will and our dictate, we will not give you any funding. We will not give you any assistance. I believe we need to recognize that there are nations in the world that think differently than we do, and we must be more tolerant of them. Hopefully, with these Resolutions and what the Congress is attempting to pass would lead us to provide for more tolerance of differences among people and among nations. Thank you very much."

Representative Ward rose to respond, stating:

"Just a statistical footnote. If you look at the 192 countries in the United Nations, just for the record, the majority of those are pro-life. That's just the fact. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Marumoto rose to speak in support of both measures, stating:

"In support. I would like to have the words of the Representative from Kailua inserted as my own. I'd like to commend the actions of AID, Agency for International Development, for giving out and distributing condoms as mentioned by the Hawaii Kai Representative. I feel that this is an excellent family planning device, but also it helps to stop the spread of AIDS. This is a very important prevention item that we should keep. Thank you very much."

Representative Green rose to speak in support of both measures, stating:

"This is a very brief comment. Mr. Speaker, in support. I have concerns about any statement that would suggest what a country is. To say a country is pro-life, I think, is an absolute mistake. A person may be pro-life, or a person may be pro-choice, but they are people out there after all. And I think that every person has a right to make a choice for their own family. I think that's where we should all, as human beings, and not dictate as countries what others will do.

"So I would take issue with this position that we should tell a country what to do. Or have another country tell us what to do. I know, as Americans, we would object to that vehemently. So, I stand in support and I would hope that we will look out for people, especially women around the world, to make their own choices, whether they are pro-life or pro-choice. Thank you, Mr. Speaker."

The Chair addressed Representative Ward, stating:

"Representative Ward, this is your third time speaking …"

Representative Ward rose, stating:

"My final statistical footnote …"

Representative Takai rose to a point of order, stating:

"Point of order, Mr. Speaker. This is his third speaking turn."

Vice Speaker Karamatsu: "Representative Ward, the Chair will rule that …"

Representative Ward: "Yes, exactly what the speaker just said. Thank you. He just reminded me. Do you want to say it again?"

At 1:04 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:05 o'clock p.m.

Representative Pine rose to speak in opposition to both measures, stating:

"Yes, just in opposition. I'm not against education, and I'm definitely against telling other countries what they can and cannot do. I don't think repealing this Act would fix the problem that some people think has being created. I think there are good things and bad things in the Act. The good things I'd like to keep in there, but not repeal the whole thing."

Representative McKelvey rose in support of both measures and asked that the remarks of Representative Thielen be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ward rose, stating:

"Mr. Speaker, a point of personal privilege. A statistical footnote. That nations are pro-life, and if the gentleman who said they are not, I would suggest to get a ticket to go to any Muslim nation in the world to see that individuals may have their choice."

Representative Takai rose to a point of order, stating:

"The speaker is speaking on the issue and this is his third speaking turn. I apologize, but the rules are the rules. It is not a point of order or point of personal privilege.

Representative Ward: "It's not a point?"

At 1:07 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:09 o'clock p.m.

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 103, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE GLOBAL DEMOCRACY PROMOTION ACT, WHICH WOULD REPEAL THE "GLOBAL GAG RULE" AND RELEASE MUCH-NEEDED FUNDS FOR INTERNATIONAL FAMILY PLANNING PROGRAMS," was adopted, with Representatives Finnegan, Meyer, Pine and Ward voting no, and with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused; and

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE GLOBAL DEMOCRACY PROMOTION ACT, WHICH WOULD REPEAL THE "GLOBAL GAG RULE" AND RELEASE MUCH-NEEDED FUNDS FOR INTERNATIONAL FAMILY PLANNING PROGRAMS," was adopted, with Representatives Finnegan, Meyer, Pine and Ward voting no, and with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1797) recommending that H.R. No. 221, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 221, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON CREATING A ONE-STOP PERMIT SHOP FOR RENEWABLE ENERGY PROJECTS," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1798) recommending that H.C.R. No. 280, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 280, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON CREATING A ONE-STOP PERMIT SHOP FOR RENEWABLE ENERGY PROJECTS," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1799) recommending that H.R. No. 232, be adopted; and

(Stand. Com. Rep. No. 1800) recommending that H.C.R. No. 291, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 232 and H.C.R. No. 291, be adopted, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I stand in support for Stand. Com. Rep. Nos. 1799 and 1800. Mr. Speaker, Taiwan has a population of 23 million and these Resolutions are just asking that Taiwan get observer status to the World Health Organization. They're not asking for membership. The reason for that is they have already dealt with SARS and the avian flu.

"As we know, diseases that are pandemic do not have any borders. It's not limited to one state or one country. That's a global concern. And Taiwan would like to offer its knowledge of both SARS and avian flu to the World Health Organization. In addition, if they were allowed to be observers, they could also get invaluable information that deal with these two major concerns. So, for those foregoing reasons, I stand in support of both Resolutions. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 232, entitled: "HOUSE RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused; and

H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," was adopted, with Representatives Carroll, Herkes, Saiki, Say, Shimabukuro and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1801) recommending that S.B. No. 170, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 170, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1802) recommending that S.B. No. 1410, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1410, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1803) recommending that S.B. No. 1704, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1704, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1804) recommending that S.B. No. 1229, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP DEALERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1805) recommending that S.B. No. 1665, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1665, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Sonson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"I have strong reservations, Mr. Speaker. I think we're trying to elevate the status of pet animals to human status, and I think this is going overboard. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I have the same concerns that the Representative from Ewa has. Thank you."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Souki rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1806) recommending that S.B. No. 1092, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1092, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1807) recommending that S.B. No. 620, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 620, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"I would like a ruling on a potential conflict. I'm a graduate of Hawaii Preparatory Academy," and the Chair ruled, "no conflict."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Also a potential conflict. I am also a graduate and my wife serves on the Board of Trustees for the school," and the Chair ruled, "no conflict."

Representative Thielen rose to disclose a potential conflict of interest, stating:

"A potential conflict, Mr. Speaker. My son attended HPA, Mr. Speaker, but much later than the Majority Leader," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 620, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1808) recommending that S.B. No. 1372, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1372, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1809) recommending that S.B. No. 1402, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1402, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1810) recommending that S.B. No. 1947, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1947, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1811) recommending that S.B. No. 1133, SD 3, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1133, SD 3, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Brower rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm casting a no vote on this as well, and may I give a few brief remarks? Mr. Speaker, for those Members who weren't here in 1999, I wanted to explain what happened then. The Legislature increased the rental motor vehicle tax from $2.00 to $3.00 a day with the guarantee back then that that increase of a dollar would be eliminated in 2007.

"The situation we have now is that once we have a tax in place, even though we give a guarantee that it will be a temporary tax, once that tax is in place, you can be guaranteed it will be permanent.

"There was a lot of discussion, a lot of opposition to that bill originally in 1999 because it hurt our local people as they went to the Neighbor Islands or came to Oahu and had to rent a vehicle. They were assessed that additional tax. So, we felt that at least by being temporary it would be something that would live its life out and then it would be eliminated.

"I'm really sorry to see this move ahead. I think that those people that don't like to tax our local residents when they take a Neighbor Island trip might want to consider, on Third Reading, voting against this bill. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. This bill here is a little deviation from what came out of the Transportation Committee. And I understand that the Finance Committee has the prerogative to make changes in the bill, so, I have no quarrel with that. But my concern, and I wish to speak with reservations, is that it doesn't provide fairness in the tax issue and the tax is only for the rental cars. It doesn't include the tour buses and tour vehicles.

"To provide some equality, if you're going to have an increase, it should be to both. I don 't understand the reason why it did not happen that way, but hopefully, as it moves along and there's some differences, that they can provide some fairness in this bill here. Thank you very much."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with reservations. As the Representative from Kailua said, this had a sunset date on it so the industry was counting on that extra dollar going away and going back to $2.00. But somewhere along the process here, this bill had actually raised it to $4.00. In this draft, it's gone back to $3.00.

"So, I guess I can vote aye because we're not increasing it. I'm not for increasing taxes, but on the other hand, because of previous Legislatures, Mr. Speaker, raiding funds from the Highway Fund, our Department of Transportation finds itself pretty much strapped for dollars, so with that in mind, that is why I can support this. Thank you, Mr. Speaker."

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you. I rise in support with reservations. I would like first to incorporate the words of the Chairman of the Committee on Transportation as though they were my own. Thank you very much. Also, Mr. Speaker, I'm intrigued by his comments and I reserve my final vote for Third Reading. Thank you."

Representative Marumoto rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1133, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Brower and Thielen voting no, and with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1812) recommending that S.B. No. 1504, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1504, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with slight, mild, inconsequential reservations. I actually want to praise the bill because it really updates us. It gets to be modern. We're going to make electronic filing a requirement. I have all the trust in the Department of Taxation as I have with the Governor's Office, but you know, this bill says' trust me' because it says the Director may require everybody to file electronically.

"At last estimation, I think 60%, 70% of the people may be online. And not that he would cause them to do it. I just don't think we should give the 'shall' in this particular measure, but insert a 'may' so that those who cannot file will not be required to go out and buy a computer. And those who are old, who don't want anything to do with computers, won't be forced to do that. So, it's a good step in the right direction, but I think it may have some difficulties by having that all inclusive language. Having good directors that we can trust is good, but who knows what may happen in the future."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1504, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FILING OF TAX RETURNS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1813) recommending that S.B. No. 1839, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1839, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX SYSTEMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1814) recommending that S.B. No. 1882, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1882, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1815) recommending that S.B. No. 148, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 148, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

THIRD READING

S.B. No. 1063, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 1063, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Having first hand knowledge of how the Legislative vacancy process was worked in the recent past, I think this bill will be a tremendous improvement and I support it wholeheartedly. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. When the framers of our State government and Constitution got together, they recognized the need for accountability of our elected officials. They also recognized that the Executive, the Governor, should be given the power to make appointments. One of the appointments of the Governor has always made is filling the legislative vacancies, and that Governor, whether he or she is Democrat or Republican has fulfilled that responsibility of making an appointment from the same political party as the legislator who vacated the position. Whether you agree with the actual appointments, the facts tell us that all our Governors have fulfilled this constitutional responsibility.

"Further, the Governor is accountable for his or her appointments because the governor is elected. The people have a right to voice their opinion on his or her performance at the next election. But this bill is accountable to no one. The process of selecting replacements is put in the hands of party leaders. Some might even call them 'party hacks'. These political types or 'party animals', if you will, aren't elected by the citizens of the State, and as such, are not accountable to the people of the State. Thus, their decision is nothing more than a political one, not a constitutional responsibility.

"For these reasons, I suggest we do what the framers of our State government and State Constitution had in mind several decades ago, and just leave it alone. The process works just fine the way it is. I urge all of my colleagues to vote no. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. It's interesting to hear the debate on this issue and also to reflect back on some of their recent op-ed pieces regarding some of the things we do here in the Legislature. And I think all of us can look at this issue from a constitutional prospective and the three branches of government, and the balance of power, and that we actually are doing our constitutional duty.

"Mr. Speaker, the founders were very concerned about this in making sure that no one branch had more power than the other and

made it ambiguous around the edges as to who had the power to do what. In the Federalist papers they wrote about that. In Federalist 51, and we don't know whether it was Hamilton or Madison who actually wrote it, it said something very interesting that I think holds true to this very day. It says, 'In order to lay a due foundation for the separation and distinct exercise of the different powers of government, it is evident that each department should have a will of its own and consequentially, should be constituted that the members of each should have as little agency as possible in the appointment of members of the others.'

"In other words, we don't appoint the Governor, and the Governor may appoint legislators, but that we weigh in on how that process is done. And what's very interesting, Mr. Speaker, is it's outlined in our State Constitution and our federal Constitution, which we swore to uphold on the first day of this Session, each and every one of us. And, as a result, we're doing our constitutional duty as we exercise our rights as a Legislative Branch. This isn't about Democrats versus Republicans, or Republicans versus Democrats. It's about our constitutional rights.

"In 1963, we adopted the procedure we have today in that the Governor picks, but it has to be from the same party. And that was done under Governor Burns' time as Governor, one of the founders of the modern Democratic Party, along with Senator Inouye and others. This legislative body, controlled by Democrats, told our Democratic Governor, you did not have a free choice under our Constitution and under the federal Constitution. And that instead we were going to restrict your choice and make sure that you selected a Democrat on good policy reasons, or a good Republican on good policy reasons, if that preceding Democrat or Republican couldn't finish their term. And that has held true up to this day. Let's look at what's happened since then because there are many examples of inconsistent appointments that I think today we're trying to correct to make sure that it's done a little better.

"Governors Burns, Ariyoshi, Waihee, Cayetano, and now, Governor Lingle, have done it in different ways. Under the four Democratic governors, it was usually a sitting or a formerly elected Representative who would be appointed to that position and it was done in many, many different ways. Under Governor Burns, for example, Doc Hill, the famous Doc Hill from my hometown of Hilo, was not going to serve anymore and he begged the Governor to appoint his business partner Richard Henderson to replace him. Doc Hill, like he is, said, 'If you don't, I'll come back to haunt you.' And the Governor went ahead and he appointed Richard Henderson who served with distinction as a Republican for many years and has had lasting impact on the Legislature.

"Under Governor Ariyoshi, we now have Senator David Ige who as he rushed into the Governor's mansion, signed the Democratic Party card, met the Governor for the first time, and became a Representative. That's how it was done under Governor Ariyoshi.

"Under Governor Waihee, he was lucky enough to appoint 15 different members to the Legislature. Some of those members included Ezra Kanoho, Representative Bertha Kawakami, and current Senator, Les Ihara. And it was done in many different ways. What's interesting to note is that in 1986, Governor Waihee appointed advertising executive, Ray Milici. Some of us may remember Milici Valenti one of the great PR advertising firms of our State, to replace Donna Ikeda, who was going to fill Senator Buddy Soares' incompleted term. He went and appointed Mr. Milici, and then he had to retract it because it was determined that he didn't live in the district that Donna Ikeda lived in."

Representative B. Oshiro rose to yield his time, and the Chair, "so ordered."

Representative Caldwell continued, stating:

"Thank you, Majority Floor Leader. I appreciate it. Under Ben Cayetano's term as Governor in 1997, Senator Matsuura could not complete his term sadly due to his battle with cancer. The Governor flew to Hilo to meet with the Senator, and the Senator made his wishes known. He asked that his son be appointed, and if not his son, since many people said that would not be appropriate, then please, former Senator Stanley Hara. If not Stanley Hara, then the head of one of the unions in Hilo, public school union or a principal of one of the public schools. The Governor did not take the Senator's advice, his suggestions and instead appointed Mr. Wayne Metcalf to complete his term.

"And then in 2000, Senator Randy Iwase went on to serve, to be appointed to the Labor and Industrial Relations Board, so Representative Menor, now Senator Menor, was assigned to replace him, and Randy Iwase's then Office Manager, Charlotte Nekota, went on to be appointed to Senator Menor's seat. A different way each time, and different choices were made.

"Under the current Governor, there was one situation where one of our Representatives took a job to address the Kahoolawe situation. The Governor appointed a committee to select that member. It included a Democrat. Senator Ihara, in fact. And they made an excellent choice. And that person serves in our body with distinction to this day and is one of our true leaders and the leader of our Hawaiian Caucus.

"Then, we had the Minority Leader who resigned, and the Governor in that case did not appoint a committee and made a selection of someone who was well liked and respected in this body.

"And then, last, but not least, we had a situation where Representative Hiraki did not complete his term and so the Governor ignored the request of the Democratic Party which listed three well-qualified people who lived in the district a long time and served in different ways, whether it be on the Neighborhood Board. The Governor rejected those suggestions and chose someone who recently moved to the district and recently became a member of the Democratic Party. And after it was determined and proven that this woman had several criminal convictions, the Governor asked this person to resign. She refused to. She continued to serve until she ran again. She lost and we have the current Representative from Downtown, who is serving with great distinction.

"The reason why I run through this, Mr. Speaker, is that there are all kinds of ways that Democrats and Republicans have selected people to replace people who have not been able to complete their terms. Inconsistent. I think as a policy, we are attempting to make it a little more consistent by making the rules clearer, by building on the policy that was previously set under Governor Burns that says you have to pick a member of the same party. Or if they're independent, then another independent person. And there's nothing wrong with that, and it has nothing to do with being partisan. It has everything to do with enforcing our rights under the Constitution as a Legislative branch of government.

"And so I encourage everyone to support this legislation. It's the right thing to do as Members of this body to uphold our Constitution.

Representative McKelvey rose to yield his time, and the Chair, "so ordered."

Representative Caldwell continued, stating:

"Thank you very much, Mr. Speaker, and I appreciate your time and I hope everyone votes for this important piece of legislation. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. In opposition. I want to thank the Majority Leader for that historical lesson. It's because of those very same reasons I'm voting against it. He pointed out numerous inconsistencies that Governors have had in the past of how they have

appointed people in the Legislature and the United States Senate, yet, not once did the Democrat Majority try to change this law. Why are we doing it under a Republican Governor?

"To me that is inconsistent. That is wrong. And to say that we're changing this law mainly because we want to uphold the Constitution, I think the cynic who's observed 109 bills, Mr. Speaker, of trying to take away the power of just this one Governor, has to say it's a little hard to believe."

Representative Sonson rose to speak in opposition to the measure, stating:

"Listening to all this history by the Majority Leader, it makes me want to applaud him for knowing so much about what has happened in the past. However, I need to oppose this bill for these particular reasons. I don't like this bill because of the provision that three people have to be selected by a political party. I think it goes way beyond what we're trying to correct with the appointment that's gone wrong, apparently done by this current Governor. And for the record, she made two out of three, so two out of three ain't bad. But the one bad appointment can be cured without having this provision.

"I don't think it is for our own good as either Republicans, Democrats or whatever party, to have our own party select the replacement to be given to the Governor. The reason for that is historically, if we can look at how parties have not been consistent or not been in line with the Representatives or legislators in these Houses. I think we can all agree that there is a huge disconnect between the party and the legislators. Also the members of these parties do not necessarily represent our constituencies.

"Until such time as we can see that at least for this Representative, that if I see that there is an objective party system, an objective leadership in the parties where they can stay out in primaries, stay out of primaries where people from the same parties are vying for the same position. If the party can prove through our leadership, can prove that they can stay out of this party, then maybe I may be able to support this bill in its entirety, and say, 'Yes, I trust the leadership of these parties to come up with the three names.

"The way that we have this set up in this particular bill, it ensures that it goes way beyond the concept of who you know. How do you get to the short list? How do you get to be one of those three people in this list without having to compromise certain things? And you know giving power to a political party that may not necessarily be holding the interest of your constituency is not a good thing. Therefore, I'm voting no, but only for that particular reason. I think the rest of the provisions in this bill are good. Thank you very much."

Representative Green rose to speak in support of the measure, stating:

"I have brief comments, Mr. Speaker. I do recognize the comments of the previous speaker. I've actually voted no on this bill in the past, but I'm now, after a year looking at it, I'm supporting it.

"I just wanted to question in my mind, out loud, the statements that were made by the Representative from Kaimuki about 'party animals' and 'hacks' because I think we have to recognize first of all that our current Governor used to be that person. To my recollection, she was the Chair of the Party, and she would have been in the position to deal with this law, so I don't think we should call our Governor a 'hack' or a 'party animal', for one. I do think we actually have to offer our party people a little more respect because they're volunteering time in those capacities and it's a tough job to deal with appointments.

"The second point I was going to make was the appointment that has caused a lot of concern was a nightmare. That Representative, who I actually like as a person, didn't live in the district and may not have even been a party member. And so we lost our way on that appointment. I think that that has spurred quite a mess, because we should remember that the Governor herself asked that person not to accept the appointment when lots of things came to light. That person became recalcitrant and wouldn't even listen to the Governor. So it was an utter mess and I think that we should be honest and say that that's what spurred a lot of this debate. Thank you, Mr. Speaker."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support. And being a former Communications Director for a political party which did choose Representative Rhoads, but was not chosen by the Governor, I stand in support of this measure. I'm glad that the Representative is here. Sometimes I'm in somewhat of a conflict because my legislator had left, and the Governor chose a candidate. Then I experienced that race later on. I think this is a good bill and just from being on the inside in that way, I support this bill. Thank you."

Representative Marumoto rose to respond, stating:

"Thank you, Mr. Speaker. It looks like I've been called on the carpet for calling some names, and I will apologize to anybody who may be offended.

"I thank the Majority Leader for the history lesson, but his list of appointments just convinces me that we should continue to allow the Governor flexibility in selecting our replacements, so I'm even more in opposition to this measure. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I oppose this bill. This bill is masked as an issue of quality assurance, and of checks and balances. It is simply an issue of control; control lost by the Democrat party when Governor Lingle was elected in 2002. This bill does nothing to assure quality. In only assures that those Democrats with political aspirations must first be appointed by Democrat leadership. It is a gatekeeper's bill. What does this bill do for internal party politics? What it does is say, 'It's not your turn, Mr. Ed Case.'"

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"I rise with reservations, Mr. Speaker. The current law may not be broken at all. It may mean we need to change it. I would like to point out that several years ago the Representative from Ewa Beach decided to leave his post and the Governor at that time who was a Democrat, picked a Republican person to occupy this seat.

"So I don't think that we should be changing the rules because the cards are turned. I'm in support with reservations. And that was my reservation that I just stated."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I guess I'm going to give an analogy. This is what I see. This as a metaphor for. If I were to send my husband or I send someone, I elect them, to go get me the best possible dinner. I'm working late and I want them to get me something that is wonderful. I send them to go get me something. I wouldn't appreciate it if when they got there, somebody else said, 'Oh, yeah. But you know that menu over there. We're going to decide for you what are those things that you can purchase or you can do.'

"What it comes down to is flexibility. It comes down to choice. It comes down to the absolute most, the best possible choice that could

be made, and that's why I'm sending that person because I want them to make the best choice.

"The people send the Governor. The Governor picks a choice and if we narrow that choice. Is it doing the best for the people? That's my question. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm voting no on this. I will only read part of what I've prepared. The preamble to this legislation states that its purpose is to preserve the integrity of the election process and to assure the public that appointments to fill legislative vacancies are not based on political considerations or self-interest. It is inconceivable that any Member of this body could possibly believe that unelected heads of partisan political parties would make such selections on a nonpartisan, unbiased basis. That simply wouldn't happen, Mr. Speaker.

"What this bill will do is remove accountability from the process by insuring that all proposed replacements for any vacancies in the legislature or the U.S. Senate would closely mirror the political beliefs of the single unelected partisan party leader and would, thus, likely hold beliefs that vary widely from the wishes of the residence of the district.

"Under the current system, if the Governor makes a poor choice, he or she can be criticized severely in the press since the Governor is almost invariably a senior elected official with first hand knowledge of the consequences of making poor policy decisions. Also, as a politician elected on a statewide basis, the Governor invariably represents the constituents of whoever he or she would appoint. The heads of political parties on the other hand, are under far less of a constraint to obey the will of people who are not their constituents and who cannot vote them out of office. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 1063, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," passed Third Reading by a vote of 38 ayes to 9 noes, with Representatives Awana, Ching, Finnegan, Marumoto, Meyer, Pine, Sonson, Thielen and Ward voting no, and with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

S.B. No. 1956:

Representative Caldwell moved that S.B. No. 1956, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of the measure, stating:

"Thank you. I rise in support of this measure. First, I would like to request that the words from the Majority Floor Leader on Second Reading be entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Takai continued, stating:

"I just wanted to mention just a couple of things. First of all, I think it's ironic during presidential years, the turnout in elections, especially in Hawaii, increases significantly. I don't think the voters of this State, or the people of this State, for that matter, understand that their vote in the presidential race actually is not a vote for the President, but more a vote for an elector who then goes to College and somehow decides to vote one way or the other.

"In fact, it even gets worse because if in a presidential election in Hawaii, one presidential candidate gets one more vote than the other presidential candidates, we all know that our four electoral votes goes to the winner, so everybody else, the 49.99% of the people that voted for the loser in Hawaii's presidential vote, gets no vote at the national level. I think this particular bill attempts to address that and that's why I'm supporting it. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, I've been voting for many, many years and have never been disappointed. I've never, of course, won all my elections, as many of you know. Not all my Floor fights or debates. But I've never questioned the system to the point to where we've got to change it, and I think this is an extension of our debate yesterday in Second Reading where somebody tried to historically link this to simply the issue of slavery, and to forego the issue that this is really the big states taking advantage of the small states. And as a small state, I think we need to stand in defense of who we are. How do we know that this was not something that New York and California has put together as kind of to bring us into so that we as a small entity could not be overlooked?

"The fact of the matter is that this bill makes the East and West Coasts superior to all of those in between and particularly ourselves in the Pacific. Under the present system, a presidential candidate must appeal to all or most region of the country to win. No one region or country passes over a majority of electoral votes. A candidate has to travel to different regions and appeal to different needs and worries to get the votes. Without the Electoral College, a candidate can just focus all of his or her energy to getting votes in two regions that are friendlier to the candidate while ignoring the other regions. We know that the two big regions are the East and the West Coast, New York and California.

"So, despite a small hiccup in 200 years, that is the 2000 vote where we did have a problem, the same reason why some of my colleagues had a problem with changing the way that we appoint that sort of vacancies. Just because the system doesn't work once, you don't destroy the system. When the lights go out with HECO, you don't say, 'Well that company is no longer reliable.' When we have a 2000 election that's so close, we don't way that the electoral system is no longer viable. We work within it. And I would say we shouldn't take the sucker-punch which probably the big states would love us to vote, for so they can have the advantage over small states like Hawaii. I don't think that's good policy, Mr. Speaker. Thank you."

Representative Brower rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm just rising with reservations on the measure and I appreciate the words from the previous speaker from Queen's Gate. Thank you."

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker. I'm rising in opposition with a few comments. I appreciate the debate that we had yesterday. In principle, I agree with the idea of a national popular vote for the presidential election. But as we all know, the devil is in the details with any piece of legislation. David Broder, a commentator with the Washington Post, says this about this proposal.

> With no runoff provision possible under this scheme, would fringe candidates be able to bargain for commitments as the price for staying out of the race? Would a Ralph Nader or a Pat Buchanan or a George Wallace have less leverage or more?' These are serious questions. When this constitutional amendment was being debated in Congress, Senators asked, what would it do to rural and urban constituencies, small states and large, minority populations and the two party system? Those issues need airing again before such a change is made. They were not seriously debated in the Maryland Legislature, and they are not likely to be in others. That's why this scheme for bypassing the amendment process is, despite its honorable sponsorship a really dubious proposition.

"Mr. Speaker, I would like to again repeat that we need to consider this scenario. If Hawaii were to vote 70% to 30% in favor of Barak Obama in 2008, but say, a Rudy Giuliani or Mitt Romney, were to win 55% of the national vote, our electors would have to vote for Giuliani or Romney. How does this outcome represent the will of the people of this great State? Mr. Speaker, I think the better course for this matter is to have greater discussion within our communities and revisit this bill at another time. Thank you."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you. With reservations. One of the things I like is that, from what I'm understanding, is that the states are having this discussion. It's an agreement among the states and we were founded on homerule and the power from the people up, so I think it's good that this discussion is happening. I support it in that way.

"I'm just kind of concerned a little bit that this isn't an issue I've talked about with my constituents, so I'm not really sure how people will weigh in on this in the district that I represent. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in support. This measure, the national popular vote, will reflect the will of the nation. We will elect our President by popular vote, which is the right thing to do.

"Currently, under this system, the Electoral College renders Hawaii voters irrelevant. How often do we find that the election is called when our polls are still open? Just about every time. I'm an optimist and I'm optimistic that this will pass. But I'm also a realist as well. And before this can take effect, you need a majority of states to buy into an interstate compact. I'm not so sure that's going to happen, but I am optimistic. Thank you."

Representative Belatti rose to respond, stating:

"Mr. Speaker, just in response. I don't think that Hawaii is rendered irrelevant. We just need to look at the last presidential election and look at how Vice President Dick Cheney came to our State because we were relevant. I don't agree with that statement. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I think it was mentioned earlier but I'm going to, I guess reiterate it. That when you have a popular vote versus an Electoral College, we're looking at it, of course, with majority population. So, if you take a look at the United States, the Midwest and a lot of that is more sparsely populated than are the coastal regions. So, actually, it is my belief and many people have debated this. And I said on Second Reading that this requires a lot of debate because it's been an issue for many years. People have discussed this question: Would Hawaii be relevant with our smaller population?

"You know, what you'd want to do probably is make sure you focus on California like was said by the Representative of Hawaii Kai. He'd want to focus on New York. He'd want to focus on the cities. Cities have a culture. Sometimes rural areas have a culture. I'm really gladdened by the fact that we have a Rural Caucus now. And I think that reflects, because they know that there are issues. The people who come from cities will not be completely as knowledgeable about certain things, or what hits them on a day-to-day basis, because there are issues there. So every region has its issues and like a family, people can be different and hang on to that. Terrific. It makes the family stronger.

"But if you were to minimize, nullify one of those cultures, which in some cases are farmers. That's our nation, too. You would nullify them? The nation is made up of great things, and great people, and great stories. And they need to have a voice, too. So, what you would have is you'd have the people who are all from a certain city, there's a lot of people there, and really being the one that the candidates would probably focus the majority of their time, in not, all of their time on

"I just wanted to say this. The President that I like a lot of what he did, he was elected by an the Electoral College. He inspired people. He didn't maybe pass a lot of things, but he inspired a lot of people. His name is John Kennedy. John F. Kennedy would not have won were it not for the Electoral College. Thank you."

Representative Pine rose to disclose a potential conflict of interest, stating:

"First I'd like to declare a conflict. I am a descendant of Alexander Hamilton who is one of the proposers of the Electoral College," and the Chair ruled, "no conflict."

Representative Pine continued in opposition to the measure, stating:

"In opposition, Mr. Speaker. I want to thank the Judiciary Chair for his words that I do believe he believes this. That by changing to the popular vote, it will be the will of the people. But if we do make this change, the popular vote will not reflect the will of Hawaii's people. One of the reasons why the electoral votes were created, is so that small, itty bitty states like Hawaii will have a voice.

"And in the Federalist papers that was mentioned earlier in another speech, Alexander Hamilton, he talked about how, as we said earlier, in different speeches, how big cities would just trump little tiny states like Hawaii, and to give an example of how little states would have more power under the Electoral College. For example, Wyoming cast about 210,000 votes, which is very close to Hawaii's, and, thus, each elector represented about 70,000 votes. California, for example, cast 9,700,000 and just had 54 electoral votes, representing 179,000 votes per electorate. So, in this case, Wyoming, which is so much smaller, they had more power when you compared to the number of people who voted to their electoral votes.

"Many say that it is a possibility to change this and Mark Schuman a political advisor said, while there are clear problems with the Electoral College, and there are some advantages to it. Changing it is very unlikely. It would take a constitutional amendment ratified by three-fourths of the states to change the system. And he says very seriously, it's hard to imagine the smaller states agreeing.

"So, I'm just having a difficult time understanding why we, who represent this little tiny state would want to agree to this. If we're so concerned about being left behind, so concerned that the election is already called before we even vote, perhaps it's that problem about the fact that we live between an ocean and the rest of the Continental United States and that's why we're so last and the election is called before we even vote. Perhaps, instead of trying to change the Constitution of the United States of America, perhaps we should just try and see if we can vote earlier and perhaps it would make a bigger difference."

Representative Rhoads rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The process of the Electoral College has been evolving ever since the founding of the Republic. In the early days, of course, there was no popular input into who the electors voted for. In fact, the founding fathers didn't trust the people, they didn't trust the masses to pick the President. They didn't trust a lot of people to pick the President. They didn't trust women. They didn't trust blacks. They didn't trust a lot of people. So, we evolved slowly, but fairly steadily towards a more and more democratic, small 'd' democratic, system where everyone gets to vote. And it seems to me like the fairest way to elect a president who

represents the entire country, is to let the majority of the people in the country vote for him.

"So this is a step forward. It's not about our power as a state. Yes, we are a small state, but we're not the smallest state by any stretch. But this is about just simple fairness. The person who gets the most votes in the country should be President of the United States. It shouldn't be calculated any other way.

"Admittedly, this is not what the founding fathers originally contemplated, but they also didn't, as I mentioned before, they didn't contemplate a number of things that we do now. The United States Senators weren't elected directly back then either. It wasn't until like 1916 or 1918 that U.S. Senators were elected by popular votes. So I think we're moving in the right direction. I think the President just like Senators and all the rest of us should be elected by a popular vote, and that means a vote of the majority. Mahalo."

Representative B. Oshiro rose to speak in support of the measure, stating:

"In support. Very briefly, I just wanted to say I think the debate has been useful, and unfortunately I think it's been a little bit misdirected. People aren't thinking really about where is Hawaii's voice and what we have to remember is the fundamental tenets of, what does a vote mean? A vote means that everyone's vote should be treated equal. That's one man, one vote. And luckily through the suffrage movement we found that it actually meant every person's vote means that their vote is equal.

"Really what I'm compelled by is when I took a look at there is a speech by Senator Robert Dole, who actually was a Vice Presidential, as well as a Presidential candidate, and he actually supported a need for us to have something that looked at this so that we could have a nationwide vote. Because what he said was when we switch to a system of direct election, I think we would see a resulting change in the nature of campaigning. While urban areas would still be important campaigning centers, there will be a new emphasis given to smaller seats. Candidates will soon realize that all votes are important, and votes from small states carry the same import as votes from large states. That, to me, is one of the major attractions of direct election.

"The other thing he points out is that actually now you won't be just giving up on those states that you thought were going to flip the other way because for no longer will minority votes be lost. You won't have to just give up on the minority vote, on the minority voice, because what you care about is every single person's voice regardless of what geography they come from. Regardless of what state they come from. That, to me, is a fundamental tenet of what our democracy should be about. It should be about trusting our people to make the individualized decision for themselves who they want to have as their President. Unfortunately, our history has shown that four times that has not shown true. And what I don't want to see happen again is for that once again to occur, as we saw just recently in 2000, and that is why I think we need to move this along and continue the discussion.

"If we were to say that, 'Oh, I don't think this is going to happen. It's unlikely the small states are going to jump on. Surely, then the debate will end.' But what we need is a debate and discussion to continue, and that will only happen if this bill moves forward. So, while I recognize all of the concerns and oppositions stated by people who have spoken against this, I think what we still need is continued discussion and that will only happen with this bill. Thank you."

Representative Takai rose to respond, stating:

"Thank you, Mr. Speaker. I rise for the second time in support. I'd like to incorporate the words of the Majority Floor Leader as if they were my own, and just mention this. I believe that this measure should be called the 'No Voter Left Behind Act.' And, in fact, Mr. Speaker, I think we should 'let the voters decide.' In fact, maybe a little bit better. We should let the voters and not the electors decide who's going to be the next President. Thank you, Mr. Speaker."

Representative Magaoay rose, stating:

"Thank you, Mr. Speaker. At this time, we have enough discussion and I call for the question. "

At 2:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:03 o'clock p.m.

At this time, Representative Magaoay withdrew his call for the previous question.

The Chair then stated:

"There has been a lot of debate on this issue. We will have everyone enter their written comments into the Journal at this point."

Representative Ward rose, stating:

"Mr. Speaker, may I have my second turn at speaking?"

Vice Speaker Karamatsu: "If you could enter written comments."

Representative Ward: "Very briefly."

At 2:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:04 o'clock p.m.

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker, for allowing the call for continuing dialog to be very briefly added to what we have already spoken about.

"I want to refer to the gentleman from Downtown who talked about how democracy is self-correcting. That's the beauty of what we've got. When we make a mistake, we self correct, and that's the beauty. And what I think this bill does is self correct some of the pitfalls that some of us have pointed out.

"We don't want to have an urban versus a rural, because the urban communities will have it. If you don't believe what I'm saying, let's do a microcosm in this State. Let's pilot this bill here. Would you Representatives from the Neighbor Islands let us in Honolulu decide who is going to be President in the 2010 election? Would you? Because this bill says, let Honolulu decide because we've got the most people.

"So, what I'm saying, Mr. Speaker is, there are some pitfalls here that just guards against, as a small State. It protects the Neighbor Islands if Honolulu had the vote, and I appreciate the ability to speak as a democracy that is self-correcting. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1956, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," passed Third Reading by a vote of 35 ayes to 12 noes, with Representatives Awana, Belatti, Berg, Ching, Finnegan, Manahan, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward voting no, and with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

S.B. No. 1010, SD 1:

Representative Caldwell moved that S.B. No. 1010, SD 1, pass Third Reading, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and failed to carry, and S.B. No. 1010, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFIED PUBLIC ACCOUNTANTS," did not pass Third Reading by a vote of 24 noes to 23 ayes, with Representatives Awana, Belatti, Chang, Ching, Evans, Finnegan, Green, Har, Ito, Luke, Magaoay, Marumoto, Meyer, Morita, Nishimoto, Pine, Rhoads, Sonson, Takai, Takumi, Thielen, Tokioka, Ward and Yamane voting no, and with Representatives Herkes, Saiki, Say and Shimabukuro being excused.

At 2:08 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:10 o'clock p.m.

At 2:10 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1063, SD 1, HD 1
S.B. No. 1956

ANNOUNCEMENTS

Representative Thielen: "Thank you. Mr. Speaker, I just wanted to thank everyone for the wonderful participation in the Easter baskets for IHS. I would like to acknowledge the Sgt.-at-Arms Office, Legislative Reference Bureau and everyone else that helped. I really appreciate it, and I know that the Women's Shelter, and the women, their families and their children will appreciate it, too."

Representative Ching: "Thank you, Mr. Speaker. Just an announcement hopefully of interest to the House. I was just informed that Washington Place has been named a national historic landmark by U.S. Secretary Dirk Kempthorne. A national historic landmark designation is the highest of such recognition accorded by the nation to historic properties determined to be of exceptional value representing or illustrating an important theme event or a person in the history of our nation. And as we all know, it is the former home of Queen Liliuokalani, the last reigning monarch of the Hawaiian Kingdom. This was just announced. Thank you."

Representative Ward: "Just a reminder of the long weekend. Happy Easter to everybody, and may we find lots of sugar coated eggs."

Representative Green: "Thank you, Mr. Speaker. Before we receive calls from every accountant in the State, I would like to remind us all that we have massage therapy going on upstairs."

At this time, Representative B. Oshiro moved to keep the Journal open until 10:00 p.m. this legislative day for the purpose of receiving Standing Committee Reports and Senate bills transmitted thereby, seconded by Representative Meyer and carried. (Representatives Chang, Herkes, Ito, Magaoay, Morita, Saiki, Say, Shimabukuro, Sonson, Takamine and Tokioka were excused.)

At 2:13 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, April 10, 2007. (Representatives Chang, Herkes, Ito, Magaoay, Morita, Saiki, Say, Shimabukuro, Sonson, Takamine and Tokioka were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Nos. 1816 through 1941) were received by the Clerk prior to 10:00 p.m. this legislative day, and the following action taken:

Stand. Com. Rep. No. 1816 (JUD) and S.B. No. 1441, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1817 (CPC) and S.B. No. 667, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1818 (CPC) and S.B. No. 1988, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HONEY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1819 (CPC) and S.B. No. 1425, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1820 (CPC) and S.B. No. 1803, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1821 (FIN) and S.B. No. 17, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1822 (FIN) and S.B. No. 709, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1823 (FIN) and S.B. No. 1315, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1824 (FIN) and S.B. No. 1922, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1825 (FIN) and S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1826 (FIN) and S.B. No. 139, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1827 (FIN) and S.B. No. 820, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1828 (FIN) and S.B. No. 1968, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1829 (FIN) and S.B. No. 1228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL PRESERVATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1830 (FIN) and S.B. No. 98, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1831 (FIN) and S.B. No. 686, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1832 (FIN) and S.B. No. 1931, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1833 (FIN) and S.B. No. 990, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1834 (FIN) and S.B. No. 1026, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1835 (FIN) and S.B. No. 688, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1836 (FIN) and S.B. No. 1154, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1837 (FIN) and S.B. No. 1115, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1838 (FIN) and S.B. No. 1282, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1839 (FIN) and S.B. No. 1672, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1840 (FIN) and S.B. No. 1917, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1841 (FIN) and S.B. No. 1284, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1842 (FIN) and S.B. No. 1833, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1843 (FIN) and S.B. No. 1950, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1844 (FIN) and S.B. No. 796, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1845 (FIN) and S.B. No. 914, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1846 (FIN) and S.B. No. 917, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1847 (FIN) and S.B. No. 1174, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1848 (FIN) and S.B. No. 880, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1849 (FIN) and S.B. No. 840, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1850 (FIN) and S.B. No. 870, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1851 (CPC/JUD) and S.B. No. 188, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1852 (AGR) and S.B. No. 1943, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1853 (FIN) and S.B. No. 1017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1854 (FIN) and S.B. No. 795, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1855 (FIN) and S.B. No. 662, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1856 (FIN) and S.B. No. 1066, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1857 (FIN) and S.B. No. 1008, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1858 (FIN) and S.B. No. 896, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1859 (FIN) and S.B. No. 907, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1860 (FIN) and S.B. No. 1929, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1861 (FIN) and S.B. No. 12, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1862 (FIN) and S.B. No. 810, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1863 (FIN) and S.B. No. 156, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1864 (FIN) and S.B. No. 1928, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1865 (FIN) and S.B. No. 1191, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1866 (FIN) and S.B. No. 1853, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1867 (CPC) and S.B. No. 1676, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1868 (CPC) and S.B. No. 1674, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1869 (JUD) and S.B. No. 946, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1870 (JUD) and S.B. No. 1515, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1871 (FIN) and S.B. No. 95, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VACANT POSITIONS IN THE DEPARTMENT OF EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1872 (FIN) and S.B. No. 1459, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1873 (FIN) and S.B. No. 1068, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1874 (FIN) and S.B. No. 1499, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1875 (FIN) and S.B. No. 678, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1876 (FIN) and S.B. No. 96, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1877 (FIN) and S.B. No. 994, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1878 (FIN) and S.B. No. 1170, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1879 (FIN) and S.B. No. 1113, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MISSING PERSONS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1880 (FIN) and S.B. No. 932, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1881 (FIN) and S.B. No. 138, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1882 (FIN) and S.B. No. 1923, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1883 (FIN) and S.B. No. 1924, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1884 (FIN) and S.B. No. 1500, SD 3, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1885 (FIN) and S.B. No. 1221, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAXATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1886 (FIN) and S.B. No. 898, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING

TO HIGH TECHNOLOGY TAX INCENTIVES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1887 (FIN) and S.B. No. 1034, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1888 (FIN) and S.B. No. 613, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1889 (FIN) and S.B. No. 871, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1890 (FIN) and S.B. No. 885, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1891 (FIN) and S.B. No. 1614, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1892 (FIN) and S.B. No. 1820, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1893 (FIN) and S.B. No. 1932, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1894 (FIN) and S.B. No. 992, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1895 (FIN) and S.B. No. 1222, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1896 (FIN) and S.B. No. 1447, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1897 (FIN) and S.B. No. 1352, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1898 (FIN) and S.B. No. 798, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1899 (FIN) and S.B. No. 162, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1900 (FIN) and S.B. No. 1756, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1901 (JUD) and S.B. No. 1400, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1902 (JUD) and S.B. No. 1603, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1903 (JUD) and S.B. No. 1636, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1904 (FIN) and S.B. No. 1365, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1905 (FIN) and S.B. No. 973, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1906 (FIN) and S.B. No. 1457, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1907 (FIN) and S.B. No. 600, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1908 (FIN) and S.B. No. 1184, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1909 (FIN) and S.B. No. 1779, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1910 (FIN) and S.B. No. 1642, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1911 (FIN) and S.B. No. 750, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1912 (FIN) and S.B. No. 1093, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN HEALTH CONSENSUS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1913 (FIN) and S.B. No. 1177, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GLOBAL YOUTH CENTER IN HAWAII," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1914 (FIN) and S.B. No. 1382, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1915 (FIN) and S.B. No. 1383, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1916 (FIN) and S.B. No. 1384, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1917 (FIN) and S.B. No. 1386, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1918 (FIN) and S.B. No. 1387, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1919 (FIN) and S.B. No. 1388, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1920 (FIN) and S.B. No. 1391, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1921 (FIN) and S.B. No. 837, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1922 (FIN) and S.B. No. 323, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1923 (FIN) and S.B. No. 707, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A NEW MARKETS TAX CREDIT," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1924 (FIN) and S.B. No. 1804, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1925 (FIN) and S.B. No. 1919, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ASSET BUILDING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1926 (FIN) and S.B. No. 1946, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1927 (FIN) and S.B. No. 1283, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1928 (FIN) and S.B. No. 1920, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1929 (FIN) and S.B. No. 1412, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1930 (FIN) and S.B. No. 1823, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1931 (FIN) and S.B. No. 1916, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1932 (FIN) and S.B. No. 1918, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1933 (FIN) and S.B. No. 603, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1934 (FIN) and S.B. No. 1612, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1935 (FIN) and S.B. No. 1182, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1936 (FIN) and S.B. No. 11, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1937 (FIN) and S.B. No. 1792, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1938 (FIN) and S.B. No. 679, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1939 (FIN) and S.B. No. 1718, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1940 (FIN) and S.B. No. 1060, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," were placed on the calendar for Third Reading on April 10, 2007.

Stand. Com. Rep. No. 1941 (CPC) and S.B. No. 1004, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," were placed on the calendar for Third Reading on April 10, 2007.

ADJOURNMENT

At 10:00 o'clock p.m., the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, April 10, 2007.

HOUSE COMMUNICATION

House Communication dated April 5, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 13, H.D. 1, S.D. 1
H.B. No. 14, H.D. 1, S.D. 1
H.B. No. 17, H.D. 1, S.D. 1
H.B. No. 92, H.D. 1, S.D. 1
H.B. No. 334, H.D. 1, S.D. 1
H.B. No. 506, H.D. 1, S.D. 1
H.B. No. 692, H.D. 2, S.D. 1
H.B. No. 831, H.D. 2, S.D. 1
H.B. No. 870, H.D. 1, S.D. 1
H.B. No. 899, H.D. 1, S.D. 1
H.B. No. 1014, H.D. 2, S.D. 1
H.B. No. 1120, H.D. 2, S.D. 1
H.B. No. 1334, H.D. 1, S.D. 1
H.B. No. 1353, H.D. 1, S.D. 1
H.B. No. 1361, H.D. 1, S.D. 1
H.B. No. 1364, H.D. 2, S.D. 1
H.B. No. 1368, S.D. 1
H.B. No. 1411, H.D. 2, S.D. 1
H.B. No. 1902, S.D. 1

FORTY-SIXTH DAY

Tuesday, April 10, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:15 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Ms. Tannya Kanei, legislative aide to Representative Yamashita, after which the Roll was called showing all members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 312 through 320) were received and announced by the Clerk:

Gov. Msg. No. 312, dated April 4, 2007, transmitting the Department of Accounting and General Services' Annual Report of the Stadium Authority – Stadium Special Fund for fiscal year ended June 30, 2006.

Gov. Msg. No. 313, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 1427, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES." (ACT 007)

Gov. Msg. No. 314, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 657, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS." (ACT 008)

Gov. Msg. No. 315, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 1108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS." (ACT 009)

Gov. Msg. No. 316, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION." (ACT 010)

Gov. Msg. No. 317, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO ARSON." (ACT 011)

Gov. Msg. No. 318, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 613, entitled: "A BILL FOR AN ACT RELATING TO VETERANS." (ACT 012)

Gov. Msg. No. 319, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 1204, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE." (ACT 013)

Gov. Msg. No. 320, informing the House that on April 9, 2007, the following bill was signed into law:

H.B. No. 1393, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)." (ACT 014)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 529 through 559) were received and announced by the Clerk:

Sen. Com. No. 529, transmitting S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE USE OF COMPACT FLUORESCENT LIGHT BULBS"," which was adopted by the Senate on April 5, 2007.

Sen. Com. No. 530, transmitting S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT PASSAGE OF THE NATIONAL GUARD EMPOWERMENT ACT OF 2007," which was adopted by the Senate on April 5, 2007.

Sen. Com. No. 531, transmitting S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING EACH COMPLEX WITHIN THE DEPARTMENT OF EDUCATION TO STUDY THE AIR COOLING NEEDS OF THE SCHOOLS WITHIN THE COMPLEX AND TO REVIEW THE FEASIBILITY OF USING ALTERNATIVE AIR COOLING METHODS SUCH AS FANS, HEAT REDUCTION, INSULATION, AND ENERGY EFFICIENT INDIVIDUAL AIR CONDITIONING WALL UNITS," which was adopted by the Senate on April 5, 2007.

Sen. Com. No. 532, transmitting S.C.R. No. 137, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN," which was adopted by the Senate on April 5, 2007.

Sen. Com. No. 533, transmitting S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION E HOʻOKIPA ANA I KA ʻAHAHUI KAUMOKUʻAINA NO KA HOʻONAʻAUAO ʻILIKINI," which was adopted by the Senate on April 5, 2007.

Sen. Com. No. 534, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 618, HD 1
S.B. No. 987, SD 1, HD 2
S.B. No. 1161, SD 1, HD 1
S.B. No. 1236, SD 1, HD 1
S.B. No. 1529, SD 2, HD 2
S.B. No. 1654, SD 1, HD 1
S.B. No. 1709, SD 1, HD 2

Sen. Com. No. 535, transmitting H.B. No. 1278, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 536, transmitting H.B. No. 1377, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 537, transmitting H.B. No. 15, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 538, transmitting H.B. No. 18, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 539, transmitting H.B. No. 24, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 540, transmitting H.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SYSTEMS," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 541, transmitting H.B. No. 149, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 542, transmitting H.B. No. 513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 543, transmitting H.B. No. 575, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 544, transmitting H.B. No. 567, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR SPORTS FACILITY," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 545, transmitting H.B. No. 598, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 546, transmitting H.B. No. 767, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 547, transmitting H.B. No. 869, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 548, transmitting H.B. No. 1005, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 549, transmitting H.B. No. 1103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 550, transmitting H.B. No. 1207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 551, transmitting H.B. No. 1227, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 552, transmitting H.B. No. 1289, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 553, transmitting H.B. No. 1338, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 554, transmitting H.B. No. 1372, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 555, transmitting H.B. No. 1403, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 556, transmitting H.B. No. 1452, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 557, transmitting H.B. No. 1477, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 558, transmitting H.B. No. 1529, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 5, 2007.

Sen. Com. No. 559, transmitting H.B. No. 1931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," which passed Third Reading in the Senate on April 5, 2007.

Representative Caldwell moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative B. Oshiro and carried:

H.B. No. 15, H.D. 2, S.D. 2
H.B. No. 18, H.D. 1, S.D. 2
H.B. No. 24, H.D. 1, S.D. 2
H.B. No. 119, S.D. 1
H.B. No. 149, H.D. 2, S.D. 2
H.B. No. 513, S.D. 1,
H.B. No. 575, H.D. 1, S.D. 2
H.B. No. 567, H.D. 1, S.D. 2
H.B. No. 598, H.D. 1, S.D. 1
H.B. No. 767, H.D. 2, S.D. 2
H.B. No. 869, H.D. 1, S.D. 2,
H.B. No. 1005, H.D. 2, S.D. 1
H.B. No. 1103, S.D. 1
H.B. No. 1207, S.D. 1
H.B. No. 1227, H.D. 1, S.D. 1
H.B. No. 1289, H.D. 2, S.D. 3
H.B. No. 1338, H.D. 2, S.D. 1
H.B. No. 1372, H.D. 1, S.D. 1
H.B. No. 1403, H.D. 2, S.D. 1
H.B. No. 1452, H.D. 1, S.D. 1
H.B. No. 1477, H.D. 2, S.D. 2
H.B. No. 1529, H.D. 2, S.D. 2
H.B. No. 1931, S.D. 1

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
60	Committee on Tourism & Culture
62, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
65	Committee on Tourism & Culture
89	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
102, SD1	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce
103, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
138	Committee on Transportation
155, SD1	Committee on Transportation, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
161	Committee on Finance
163	Committee on Finance
186	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health

H.C.R. Nos.	Re-referred to:
203	Committee on Finance
205	Committee on Finance
229	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health

CONSENT CALENDAR

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar.

At this time, the Chair announced:

"Members, at this time we are at Part I, Consent Calendar. Everyone knows about the Consent Calendar that is on your Order of the Day. You all realize that there will be no discussion as these are items have been agreed upon by both the Majority Caucus and the Minority Caucus. These items have been placed on the Consent Calendar for Third Reading."

UNFINISHED BUSINESS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1816) recommending that S.B. No. 1441, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1441, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. We often hear or read about cases of abuse where the victim is an individual receiving government assistance through a human service program, and is mistreated by the person or persons who are directly responsible for their care.

"It is even more deplorable when the victim is a minor or ward of the State of Hawaii. It is our responsibility to ensure safety for the infants, children, and youth of Hawaii who receive assistance through organizations approved by the Department of Human services.

"This bill amends section 346-17, Hawaii Revised Statutes, by including requirements to ensure that all providers require child abuse and registry checks in addition to other screening requirements and federal and State laws required by the State of Hawaii Department of Human Services."

The motion was put to vote by the Chair and carried, the report of the Committee was adopted and S.B. No. 1441, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1818) recommending that S.B. No. 1988, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1988, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HONEY," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1821) recommending that S.B. No. 17, SD 2, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 17, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1823) recommending that S.B. No. 1315, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and S.B. No. 1315, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1826) recommending that S.B. No. 139, SD 1, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 139, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. This bill clarifies that the cigarette tax money earmarked to fund the Cancer Research Center of Hawaii, emergency medical services, trauma care, and community health centers shall be calculated on a per cigarette basis.

"This bill corrects a technical flaw in a law passed by the 2006 Legislature.

"Smoking is the largest cause of morbidity and mortality in the nation that can be easily prevented. Beyond harming individual health, use of tobacco in the United States costs about $7.18 for each pack of cigarettes sold in terms of healthcare expenses and decreased worker productivity. In Hawaii, this amounts to $526,000,000 in healthcare expenses and productivity losses.

"Smoking is also associated with cancer, heart disease, stroke, emphysema, bronchitis, low birth-weight babies, sudden infant death syndrome, increased frequency of colds and ear infections, and asthma. Asthma is the largest single cause of school absenteeism in the State.

"It has been estimated that a ten per cent increase in the price of cigarettes decreases the number of children who start smoking by three to seven per cent in the long-term. The estimated decrease for adults is three per cent. Tobacco taxes can be viewed as a user tax affecting 17.3 per cent of Hawaii adults who are smokers and who do not pay the full societal costs of their use of tobacco.

"Allocating a significant percentage of tobacco tax revenues to programs that strive to maintain Hawaii's health such as the Cancer Research Center of Hawaii, Hawaii's emergency medical services, critically needed trauma centers, and community health centers are the most appropriate and effective use of such revenues to help the greatest number of people."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 139, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1827) recommending that S.B. No. 820, SD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 820, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1828) recommending that S.B. No. 1968, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1968, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1835) recommending that S.B. No. 688, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 688, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1837) recommending that S.B. No. 1115, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1115, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1838) recommending that S.B. No. 1282, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1282, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1844) recommending that S.B. No. 796, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 796, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1845) recommending that S.B. No. 914, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 914, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1847) recommending that S.B. No. 1174, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1174, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1849) recommending that S.B. No. 840, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 840, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Hanohano submitted written remarks in support of the measure as follows:

"I am in strong support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 840, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1850) recommending that S.B. No. 870, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 870, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1853) recommending that S.B. No. 1017, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1857) recommending that S.B. No. 1008, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1008, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1862) recommending that S.B. No. 810, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 810, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed Third Reading by a vote of 51 ayes.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1870) recommending that S.B. No. 1515, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1515, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1872) recommending that S.B. No. 1459, SD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1459, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1874) recommending that S.B. No. 1499, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1499, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1875) recommending that S.B. No. 678, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 678, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1878) recommending that S.B. No. 1170, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1170, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1879) recommending that S.B. No. 1113, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1113, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, the 21st Century continues to bring us technologies that increase our capacity to do good in this world. As a State, we should incorporate new technologies into fields where the betterment of people will take place. One field where new technology can, and should be used is in the field of locating missing persons.

"Each year, Mr. Speaker, countless numbers of families grieve because of the lack of closure in cases that involve missing loved ones. This bill, Mr. Speaker, authorizes law enforcement agencies to use sophisticated technology and databases to solve missing persons and other cases. In addition, this bill protects our children and improves the State of Hawaii's existing procedures to locate missing persons.

"Through national databases and DNA, missing persons can be found faster and families can find closure sooner. I urge my colleagues to support this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1113, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MISSING PERSONS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1880) recommending that S.B. No. 932, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 932, SD 2, HD 2, entitled: "A BILL FOR

AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1883) recommending that S.B. No. 1924, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1924, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1895) recommending that S.B. No. 1222, SD 3, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1222, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1896) recommending that S.B. No. 1447, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1447, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of SB 1447, SD 2. This bill would help subsidize the cost of third party reviews for building permits related to affordable housing projects.

"The City and County of Honolulu already has a program that allows certified third party reviewers to examine building permit applications on behalf of the City. By providing this service, permit processing is accelerated and we can break ground faster on affordable housing projects that are sorely needed in our State.

"This bill also has the support of the City and County of Honolulu's Department of Planning and Permitting, and the Hawaii Housing Finance and Development Corporation.

"I urge my colleagues to support this measure. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1447, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1897) recommending that S.B. No. 1352, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1352, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1898) recommending that S.B. No. 798, SD 3, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 798, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Third Reading by a vote of 51 ayes.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1902) recommending that S.B. No. 1603, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1603, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1905) recommending that S.B. No. 973, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 973, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1906) recommending that S.B. No. 1457, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1457, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1907) recommending that S.B. No. 600, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 600, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1908) recommending that S.B. No. 1184, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1184, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1913) recommending that S.B. No. 1177, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1177, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in support of the measure as follows:

"I am in strong support of SB 1177 HD1.

"Our youth are the key to attaining the goal of world peace and productivity for future generations. Hawaii's location at the center of the Pacific and its diverse culture, with its many shared languages provide an excellent strategic forum for meetings and exchanges.

"The establishment of a Global Youth Center in Hawaii would create an international framework in which youth around the world can become actively engaged in the building of a better future. Such a center would offer the opportunity to identify global issues that would address and prepare future leaders to effectively communicate their concerns.

"The Global Youth Center will work in conjunction with Hawaii's educational, political and business leaders. It is hoped that the International Youth Lions Camp could also utilize this facility once it is made available. This is just one example of the many activities that could partner with the Global Youth Center."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1177, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GLOBAL YOUTH CENTER IN HAWAII," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1914) recommending that S.B. No. 1382, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1382, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1915) recommending that S.B. No. 1383, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1383, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1916) recommending that S.B. No. 1384, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1384, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1917) recommending that S.B. No. 1386, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1386, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1918) recommending that S.B. No. 1387, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1387, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1919) recommending that S.B. No. 1388, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1388, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1920) recommending that S.B. No. 1391, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1391, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1931) recommending that S.B. No. 1916, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1916, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1932) recommending that S.B. No. 1918, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1918, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1935) recommending that S.B. No. 1182, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1182, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of SB 1182. This bill increases the personal needs allowance provided to individuals in care homes and nursing facilities from $30 per month to $50 per month. This allowance was set by the federal government at $30 in 1988. States are allowed to supplement this payment as they see fit, provided the funding comes from State resources. The intent of providing this allowance to individuals is to provide for some of the most basic personal services like haircuts, toiletries, and other like purchases.

"There was considerable controversy regarding this bill and SB 427 during the hearing process in the Finance Committee. There was also some question as to the need for any statutory change to implement a program that already seems to have an infrastructure imbedded in the Department of Human Services.

"The ultimate goal, however, is to ensure that those who need support receive that support. Funding for this increase has already been included in the House draft of the State budget. I look forward

to working with my colleagues to find the most efficient and accountable way to provide this $20 increase in the personal needs allowance."

Representative Cabanilla submitted written remarks in support of the measure as follows:

"I am in strong support of SB 1182, HD 1. The Social Security Administration requires a monthly charge to be set aside for social security recipients who reside in certain institutional care settings. The fee is applied to the individual's personal needs; such as clothing, toiletries, bus fares and other incidental day-to-day living expenses.

"Increases in cost of living demands an adjustment in the needs allowance to provide residents of long-term care facilities and community care-home residents an acceptable daily quality of life.

"The purpose of this Act is to enable the Department of Human Services to establish a needs allowance for persons residing in community care homes and other long-term care facilities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1182, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE," passed Third Reading by a vote of 51 ayes.

THIRD READING

S.B. No. 170, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 170, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Third Reading by a vote of 51 ayes.

S.B. No. 1410, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1410, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

S.B. No. 1704, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 1704, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted written remarks in support of the measure as follows:

"I am in strong support of SB 1704, HD 1. The review and modification of the Condominium Regime Laws that have been codified has been long overdue. My district has 2/3rds residents living within condominiums. Clarity is needed and this bill provides that."

The motion was put to vote by the Chair and carried, and S.B. No. 1704, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 51 ayes.

S.B. No. 1229, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1229, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP DEALERS," passed Third Reading by a vote of 51 ayes.

S.B. No. 1372, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1372, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," passed Third Reading by a vote of 51 ayes.

S.B. No. 1947, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1947, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Third Reading by a vote of 51 ayes.

S.B. No. 1504, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1504, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FILING OF TAX RETURNS," passed Third Reading by a vote of 51 ayes.

S.B. No. 1839, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1839, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX SYSTEMS," passed Third Reading by a vote of 51 ayes.

At 9:20 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1441, SD 1, HD 1
S.B. No. 1988, SD 1, HD 2
S.B. No. 17, SD 2, HD 2
S.B. No. 1315, SD 2, HD 1
S.B. No. 139, SD 1, HD 1
S.B. No. 820, SD 1
S.B. No. 1968
S.B. No. 688, SD 2, HD 1
S.B. No. 1115, SD 2, HD 1
S.B. No. 1282, SD 2, HD 1
S.B. No. 796, SD 2, HD 2
S.B. No. 914, SD 2, HD 1
S.B. No. 1174, SD 1, HD 1
S.B. No. 840, HD 1
S.B. No. 870, SD 1, HD 2
S.B. No. 1017, HD 1
S.B. No. 1008, SD 1, HD 2
S.B. No. 810, SD 2, HD 1
S.B. No. 1515, SD 2, HD 2
S.B. No. 1459, SD 1
S.B. No. 1499, SD 2, HD 1
S.B. No. 678, SD 1, HD 1
S.B. No. 1170, SD 1, HD 1
S.B. No. 1113, SD 1, HD 2
S.B. No. 932, SD 2, HD 2
S.B. No. 1924, SD 2, HD 2
S.B. No. 1222, SD 3, HD 2
S.B. No. 1447, SD 2, HD 2
S.B. No. 1352, SD 2, HD 2
S.B. No. 798, SD 3, HD 2
S.B. No. 1603, SD 2, HD 2
S.B. No. 973, SD 2, HD 2
S.B. No. 1457, SD 2, HD 2
S.B. No. 600, HD 2
S.B. No. 1184, SD 2, HD 3
S.B. No. 1177, SD 2, HD 1
S.B. No. 1382, SD 1, HD 1
S.B. No. 1383, SD 1, HD 1
S.B. No. 1384, SD 1, HD 1
S.B. No. 1386, SD 1, HD 1
S.B. No. 1387, SD 1, HD 1

S.B. No. 1388, SD 1, HD 1
S.B. No. 1391, SD 1, HD 1
S.B. No. 1916, SD 2, HD 3
S.B. No. 1918, SD 2, HD 2
S.B. No. 1182, SD 2, HD 1
S.B. No. 170, SD 1, HD 1
S.B. No. 1410, SD 1, HD 1
S.B. No. 1704, SD 1, HD 1
S.B. No. 1229, SD 2, HD 1
S.B. No. 1372, SD 1, HD 1
S.B. No. 1947, SD 1, HD 1
S.B. No. 1504, SD 2, HD 1
S.B. No. 1839, SD 2, HD 1

Members, please remember to let the Clerk know which Senate bills on the Consent Calendar you will be inserting your comments on in the Journal. This must be done before the adjournment of today's Floor session. So that will probably be around 5:30 or 6:00 o'clock this evening."

At 9:21 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:47 o'clock a.m.

At 9:47 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:48 o'clock a.m.

At this time, the Chair stated:

"Please accept my apologies. At this time the Chair would like to announce for all of you in this Chamber, on page 10, Standing Committee Report No. 1820 will be placed at the end of the calendar because of a proposed floor amendment."

At 9:49 o'clock a.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:49 o'clock a.m.

The Chair then announced:

"Everyone is aware that on page 10, House Standing Committee Report No. 1820, S.B. 1803. There's a proposed floor amendment so it will be taken up at the end of the calendar.

"On page 13, House Standing Committee Report No. 1861, S.B. 12, another proposed floor amendment to be taken up at the end of the calendar. Please mark your pages, Members of the House.

"Moving on to page 14, House Standing Committee Report 1867, S.B. 1676, once more, end of the calendar with a proposed floor amendment.

"Page 19, House Standing Committee Report No. 1929, S.B. 1412, once more, end of the calendar with a proposed floor amendment.

"Also, on page 19, House Standing Committee Report No. 1937, S.B. 1792, end of the calendar, proposed floor amendment.

"Page 21, House Standing Committee Report 1814, S.B. 1882, end of the calendar with two proposed floor amendments.

"Page 21, once more, House Standing Committee Report 1815, S.B. 148, end of the calendar, another proposed floor amendment.

"Members of the House, if there are anymore proposed floor amendments, the Chair would like to receive it before 10:00 a.m. this morning so that we, this body, can run this House efficiently and properly and Members of the House can get back to their respective community meetings that they have on their calendars.

"One more time, for any additional proposed floor amendments, please submit it by 10:00 this morning. The reason why we are taking it up at the end of the calendar is because if you want to break for every floor amendment for 30 to 40 minutes, I am willing to do it if you are willing to do it. For every floor amendment, we'll call a recess, go into the Caucus rooms, and discuss the floor amendment.

"So, I'll give anyone here on this Floor, at this point in time this morning the opportunity to submit any more floor amendments so that you, the body of this House of Representatives, are aware of what we have on the Order of the Day with all of these end of the calendar floor amendments."

At 9:53 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:00 o'clock a.m.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1817) recommending that S.B. No. 667, SD 3, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 667, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," passed Third Reading by a vote of 51 ayes.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1819) recommending that S.B. No. 1425, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1425, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would like to disclose a potential conflict. Members of my family are in the contracting business," and the Chair ruled, "no conflict."

Representative Thielen continued in support of measure with reservations, stating:

"And Mr. Speaker, on the underlying bill, I have reservations. I would like just like to note my reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1425, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1822) recommending that S.B. No. 709, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 709, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Mr. Speaker, Alice in Wonderland said, 'If you don't know where you're going, any road will get you there.' So it goes with our economy. If you don't know where we're going, and then how we measure where we are, we're in trouble. And that's what this bill is all about. It's about metrics.

"This bill will measure our training in science, technology, engineering and math, STEM, as they are known as. It will also track, measure and report our capital investment, research, development and other indices of innovation. And as you know, we are trying to break out of our 'sand, surf, and sun' economy into an innovation economy.

"Today, Mr. Speaker, we have not done too much of a job and this bill brings it to the forefront. It is time to measure where we are and where we want to go. And the only thing missing in this bill, and it's one of the underlying points of my standing, is that you can't measure without money. This bill has a blank and it has a defective date. It needs $250,000 and my point is to stand and encourage the Chair of Finance, as well as my colleagues on the Finance Committee, to make sure that we know where we're going and we measure it and we put in the $250,000 for the first year, and I think the same amount for the next year. Thank you, Mr. Speaker."

Representative Finnegan rose in support of the measure and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of the measure and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 709, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1824) recommending that S.B. No. 1922, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1922, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, with comments in the Journal, if I may. In strong support. This bill is the one that does three things creatively for our media, our film people. This is the creation of the Media Center at UH. It's for the incubator that is going to be created. And lastly, and most importantly, and the most excitingly is the MELE Program, the Music Experience Learning, and that's going to be where all of our talented musicians, in partnership with Belmont University of Nashville, will have a chance to put 'Nashville of the Pacific' in the midst of us right here in Hawaii, Mr. Speaker.

"So, I'm really excited about this. This is the future. This is part of what we're going to measure in the previous bill, and this is where we'll call all of our talent, our musicians and our actors to step forward and be part of this really creative program. Thank you, Mr. Speaker."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure. The proposals in this bill are key components in efforts to moving Hawaii forward toward embracing an economy based on innovation initiatives and policies. This measure appropriates funds for the creation of permanent facility for the Academy for Creative Media at the University of Hawaii.

"Since its humble beginning in January of 2004 with only a few students and two faculty members, the Academy for Creative Media has become the premier program for media study in Hawaii, having produced nine films and a collection of video game prototypes. The program now has 175 students.

"This stunning growth has resulted in some growing pains. The Academy has outgrown the small suite of offices it was provided in its initial stages. This has resulted in the faculty have to be placed in borrowed space in a different building. Moreover, there is no room for dedicated classrooms, workshops, labs, soundstage, and other important tool and space for creative media.

"The funds provided in this bill will answer these pressing needs by providing for a permanent facility that will allow the program to continue to grow and support the growing media industry in Hawaii.

"In recent years Hawaii has experienced a rapid growth in its film industry. With this growth, it is imperative that we focus on infrastructure that will expand local capabilities in the film and digital media sector. The Digital Media incubator facility proposed in this bill is an important step in our effort to grow Hawaii's film industry and will serve as a catalyst for startup, emerging and established firms in computer animation, visual effects, and interactive game development to move Hawaii towards a state-of-the-are cinema production center.

"Hawaii is blessed with having a number of talented young people wishing to pursue a career in digital media. However, the realities of the digital media industry demand some state support. This is because of the following factors:

- User-ready work spaces and facilities are needed for the local digital media sector to develop and grow.
- Because most digital media productions are project-based and short-term in nature, they can only lease commercial space for short periods of time.
- This is not profitable for the private sector to provide this space; therefore, a State supported user-ready digital media work space is needed to support and grow this industry.

"The range of digital media companies and projects that will be used by this center include: Digital and interactive game development; software design for mobile, web, PC, and other applications; television and feature film preproduction and post production; special FX, animation and sound design group; and design companies (graphics, art, architectural, engineering, medical).

"The key to helping these companies is provide a place to launch from for the first few years to help build these businesses.

"These types of firms offer good, high paying jobs that will not only help grow Hawaii's media industry but grow other areas of the economy as the employees of these companies will have more money to spend and grow Hawaii's economy.

"Mr. Speaker, this bill also embraces another concept originally proposed by the Governor, that of the music enterprise learning experience, or "MELE" for short. Hawaii is blessed with rich musical traditions that are found nowhere else in the world. This tradition has continued to grow as young musicians learn and perform Hawaiian music.

"In terms of economic growth, Hawaiian music has been identified as key industry sector. There is general recognition that the music has a large potential audience from all across the world. Hawaii has more than enough talented musicians to create and share this music with the world. The problem is that it lacks the support of infrastructure to assist individuals in the business side of the music world.

"In Committee, the Hawaii Musicians Union, the Hawaii Academy for Recording Arts and the Pacific Music Foundation have all indicated a need for programs that teaches business skills and knowledge to Hawaii's coming generations of musicians and entertainers. This measure recognizes this problem through the development of a support and training system called MELE (the Music Enterprise Learning Experience) program to develop the technical and business skills required for Hawaii's music industry grow and prosper.

"This program is modeled after the industry experience in Nashville, another area of the country with talented musicians with a unique musical sound. Belmont University was prominent in the musical development with Nashville and has agreed to share its experience and knowledge by being a partner for MELE.

"The potential for this program is very exciting for Hawaii. We can all recognize the success of Nashville and country music. This program has the opportunity to create something similar with Hawaiian music, and it should be supported.

"Mr. Speaker, our economy is changing rapidly. New technologies are being introduced every year. If we are to succeed in this economy, it is important that we embrace these changes, and prepare for the future. This bill will help us in that effort. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. As a former educator, I'm really excited about this measure. It's very 21st Century, as well as a clean industry; something that we should be investing in. We know that we're in a global village now, and we know that technology has taken us to this type of special industry and creativity, and I'm excited about the future that this holds for our children. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Short comments in support. I'm really in support of the MELE Program and excited to learn about what has been going on at Honolulu Community College and the support of this bill means a lot to that program."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1922, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1825) recommending that S.B. No. 53, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 53, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some strong reservations. The purpose of this bill is to expand health insurance services by including marriage and family therapy in the substance abuse and mental illness treatment benefits. My concern is that according to our statutes, 23-51, before any legislative measure that mandates health insurance coverage for specific health services, specific diseases or for certain providers of health care services as part of an individual or group health insurance policies can be considered, that's before this bill should be considered, there should be a concurrent resolution passed requesting the Legislative Auditor to prepare and submit to the Legislature a report that assesses both the social and financial effects of the proposed mandated coverage.

"So, my problem with this is, we have put the 'cart before the horse'. We should be passing a resolution before we take this step to pass this bill. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with support with reservations, as well. My reservations are the same as the previous Representative from Kahaluu. I would like to say, though, that this is a very important bill; that when we're affected by drug addiction within our homes, it is very important to address how it affects the rest of the family. I've been able to witness that in the kids in our neighborhood, as well as our community. So, the importance of the bill, it is very important. It's just that we have to be mindful of our process. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, we already know that Hawaii has a major ice problem, but I think more attention needs to be brought up about people that suffer from what's termed, dual diagnosis. This is when an individual suffers from both a mental health condition, as well as a substance abuse disorder. Many of our citizens and residents that suffer from schizophrenia or bipolar, anti-social personality disorder or suffer from depression often go into using hard core drugs – crystal meth, cocaine, ecstasy. This exacerbates their situation and it puts a great deal of stress and pain to their family. It will cause break-ups in marriages and you'll see a family just disintegrate.

"This will help, as it will allow for a family therapist to intervene. They will meet and provide the family with guidelines to follow, possibly saving a break up of the family and saving marriages. Keep in mind, love is not enough. Although it is a very important aspect of family and marriage, this is not enough, because they are not equipped with the tools to deal with people that may suffer from mental disorder or also drug addiction. Because this is so important, I think that marriage and family therapists should be able to play an important role and be covered by health insurance so that we can protect our families, as well as our marriages. For those reasons, I stand in support of this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1829) recommending that S.B. No. 1228, SD 1, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1228, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker I am in support. The historical preservation of our Japanese internment camps in Hawaii is a very important part of our heritage. In particular, the Honouliuli Internment Camp located on the West side of Oahu not only imprisoned Japanese, but those of German and Italian ancestry.

"The location of the camp was isolated – bordered by cane fields and high brush. Because of this, everyone worked together to make the best of a bad situation. The guards collaborated with prisoners; exchanging food items for example, fish for meat, and potatoes for rice. Pleasantries were exchanged between prisoners and guards. Awards were also given to this camp due to excellent condition of this site which was kept clean and tidy. Interestingly enough, military personnel would look forward to visiting Honouliuli camp. These actions were unprecedented in other internment camps outside of Hawaii.

"I support whatever efforts will be implemented to preserve these valuable historical monuments – not only for their historical importance, but also for the aloha spirit that was shared by those who resided there. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This measure would help our children once again to not only be aware of their past, but hopefully learn from the past. There is nothing like an experiential museum which a child walks into and experiences a concept. I think it's the way we reach children. I think this is a good thing because we learn from our past and, hopefully, we'll live up to our obligation to the future. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure. I would like to speak on behalf of the Ewa Historical Society. The Ewa Historical Society has been around for over 25 years, Mr. Speaker, and right now they are having a renaissance. They want to bring up all the historical places in Ewa. And there is a Japanese internment camp in my district, and one of their goals is to be able to have historical tours linking the bunkers in Waipahu, the World War II bunkers, this internment camp, the Ewa Cemetery, the Ewa Mansion, and the OR&L Train Depot. We hope that with all these facilities being fixed we can contribute to the tourism industry by having heritage tours in our district. So, I urge all my colleagues to support the efforts of the Ewa Historical Preservation Society. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, just very briefly, in support. I wanted to point out that there had been a camp, a temporary relocation camp in Honouliuli, near Pearl Harbor, in the previous speaker's district, and that there were 1,551 people – Japanese, Italians, Germans – incarcerated there at the start of World War II. And thanks to President Bush and his leadership, we have several million dollars to restore about ten of the permanent internment camps that housed 120,000 Japanese in the '40s. Not all will be restored, but, hopefully, we will be able to capture some of those funds to restore whatever is left Honouliuli, or somehow have some way to keep the memory alive of what happened during World War II. Thank you very much."

Representative Manahan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in strong support as well. This measure would actually allow for a study on how best to honor this part of our history and remember it. Having also, as part of my district, a former internment camp, I certainly support this measure. Mr. Speaker, I'd like to insert written comments."

Representative Manahan's written remarks are as follows:

"Mr. Speaker, this measure is long overdue. Although much is made of the injustices in other countries, the atrocities committed by other nations, it is perhaps most instructive to examine our own actions in time of war. America is at a parallel juncture to World War II. By recognizing and acknowledging our actions, we can learn from them, and better our behavior in the current situation.

"This measure is timely in that it helps us utilize available federal funds. This bill also will help recognize one such camp in the 29th District, the Sand Island Internment Camp. The unpleasantness in our society helps define our character, and should never be forgotten. This bill will help us decide, in a culturally appropriate and sensitive manner, the best way to remember. Therefore, I support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL PRESERVATION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1830) recommending that S.B. No. 98, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 98, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

Mr. Speaker, I am in support with reservations. As we are all aware, the efforts of our educational system should always be centered on the students. The foremost importance is that of health and safety. Should this bill move forward, a major concern is the possible elimination of the health nurse position in schools when a principal is faced with deciding between a teacher and a health nurse due to budgetary constraints. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 98, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Carroll voting no.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1831) recommending that S.B. No. 686, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 686, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support, but with some reservations. I realize that we have not come to the end of the Legislature, so this will be looked at carefully. This bill is related to educational assistants and putting them on a career ladder program. But as I recall, the appropriation was like $9 million and another higher figure. It is a lot of money that was being required to do this, and that's my concern. I think that after Crossover and looking at the budget, all these things will be flushed out. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 686, SD 1, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," passed Third Reading by a vote of 51 ayes.

At 10:15 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 667, SD 3, HD 2
S.B. No. 1425, SD 2, HD 1
S.B. No. 709, SD 2, HD 1
S.B. No. 1922, SD 2, HD 1
S.B. No. 53
S.B. No. 1228, SD 1, HD 1
S.B. No. 98, SD 1, HD 1
S.B. No. 686, SD 1, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1832) recommending that S.B. No. 1931, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1931, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In regards to Stand. Com. Rep. No. 1832, I'd like to just give short comments. In support. Of course, we're in support of workforce development and this working group. The short comment that I have is just in regards to possibly of looking at, during Conference Committee, of moving this from DLIR to DBEDT in order for them to look to our future workforce. This would be a better fit. Thank you."

Representative Evans rose in support of the measure with reservations, and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1931, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1833) recommending that S.B. No. 990, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 990, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with reservations. This is the bill, Relating to Petroleum Industry Monitoring. This would give the PUC broad new powers to investigate companies that should not be within the Public Utilities Commission's purview because the companies they will be investigating are neither public nor utilities.

"This bill was passed and moved along in sort of in conjunction with the gas cap and with an effort for transparency. The refiners already do a great deal of reporting to the federal government and I'm not sure that we're going to find out anything new and the way this bill is at this present time there's absolutely no money in there. The PUC has stated that they can do this work, but they must have at least, I think $1 million, $1.5 million each year in order to hire the personnel and to have the expertise so that they can do what we're asking them to do. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just a comment in support. I just wanted to make sure, just a friendly reminder to the people that are sitting on this Committee that last year we passed it out with no money. So let's not forget to put money in this time. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 990, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1834) recommending that S.B. No. 1026, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1026, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"I rise with reservations. The main reservation has to do with the larger size containers. But there's also a good measure in here. Thank you."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in opposition to SB1026, SD2, HD3, which would increase the size of containers subject to the bottle bill from 64 ounces to 68 ounces. I have always opposed the bottle bill, because what we should be doing is something other states moved to years ago -- comprehensive recycling of paper, tin, plastic, glass, cardboard, etc. with home pickup. I also feel the bottle bill is essentially a tax that supports the infrastructure and bureaucracy to run this inefficient program.

"This tax was sold to consumers under the false premise that it would substantially decrease the volume of waste going into our landfill, when in fact the percentage of the waste stream diverted from landfills as a result of this tax is in the very low single digits. The benefits of slightly extending the life of our current landfill are greatly outweighed by the substantial direct and indirect costs imposed upon our citizens by this law. Thus, I oppose expanding this insidious tax to include ever larger beverage containers, thus extracting even more taxes from our beleaguered citizens."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1026, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Finnegan and Meyer voting no.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1836) recommending that S.B. No. 1154, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1154, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just short comments with reservations for Stand. Com. Rep. No. 1836. In regards to the blank

authorization, it used to have $100 million in there and that gave us some direction as to what we were thinking of in regards to these projects. However, now there's a blank amount and therefore, no direction. And if Budget and Finance and just having that coordination so that they can be able to understand what they're exposing the State to, financially. Thank you."

Representative Ching rose in support of the measure with reservations, and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1154, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Herkes voting no.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1839) recommending that S.B. No. 1672, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1672, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, currently, there is inadequate payment reimbursement for Medicaid which has actually compromised access to medical care. It should be noted that this not only for the uninsured and those covered by Medicare, but also for the individuals who also get health care from private companies.

"I note that on December 2006, LRB provided a report on Medicaid payment and reimbursement rates, and the conclusion was that providers often receive insufficient payments for healthcare from government programs. In fact, the Healthcare Association of Hawaii even went further and stated that the disparity between payments and actual cost was one of the reasons we suffer a health care crisis in Hawaii. Our doctors are leaving. We have a nursing shortage. In fact, our Neighbor Island specialists are in demand. We just don't have enough orthopedic specialists on the Neighbor Islands.

"I truly believe that healthcare should not be a privilege, but a right for all of our residents in the State of Hawaii. So, for those reasons, I stand in support for this measure. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with some reservations. In regards to the Representative from Kalihi, I'd like to adopt his words, but also add some reservations as to what are the implications this bill may have.

"Currently, this bill creates a disparity for reimbursement rates retroactive and prospective for Medicaid only, not QUEST. So, this is the fee for service part. Specifically, this bill changes the current Medicaid only, not for QUEST, to increase Medicaid reimbursement rates to 100% of the Medicare reimbursement rates. Secondly, it amends the Medicaid fee schedule to require an annual inflation adjustment. And thirdly, it appropriates funds to adjust retroactively for inflation for Medicaid. Again, all of this for Medicaid only, the fee for service, and not for QUEST.

"The total amount for this for Medicaid only, not for QUEST, is $58 million plus, and additional federal funds will be about $40 million plus. But the thing that I would like to point out are more that QUEST and Medicaid are scheduled to merge in 2008, which means additional funds will be needed aside from what I've mentioned so far to bring reimbursement rates up. Also, after the reimbursement increases for inflation, that there's no federal matching funds to the extent that the rate paid exceeds the Medicare rate. So that's some reservations that we need to look forward to because they have major fiscal implications to them. Thank you."

Representative Awana rose in support of the measure and asked that the remarks of Representative Mizuno be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1672, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1840) recommending that S.B. No. 1917, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1917, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Mr. Speaker, this bill includes a provision that requires counties to expedite the implementation of Act 310 from last Session, Relating to Indigenous Architecture. The Act was created to encourage the building of traditional *hale* and *halau* for residences and structures by requiring the counties to amend their county building codes that often serve to discourage and prevent such practices.

"To date, only Maui County has adopted rules for indigenous structures, and no counties have adopted rules for indigenous residences in accordance with Act 310. The provisions in S.B. 1917 require the counties to expedite implementation of the Act in a timely manner. By allowing full functionality of Act 310, we can help provide alternative types of housing to meet the current crisis in our State while preserving and perpetuating this ancient Hawaiian practice. Mahalo."

Representative Pine rose to disclose a potential conflict of interest, stating:

"I'd just like to declare a potential conflict. I work for a homeless shelter and I understand some amendments are working to assist homelessness," and the Chair ruled, "no conflict."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, a couple of comments with reservations and comments to be inserted in the Journal if I may. My first reservation is that I'm not sure the counties are going to be very happy, or the developers were actually going to allow this thing to work.

"And the second comment is that the great part of the bill is regarding the Rental Housing Trust Fund, which, as we all know, we took the money out and it's broke. So the greatest thing and the greatest encouragement to the Finance Committee would be to put in the blank where it says the percentage that will go to the Rental Housing Trust Fund. If we can put that to 65%, we can get people back into rental housing because there's such a crisis going on right now. Thank you, Mr. Speaker."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of Senate Bill 1917 SD3 HD2 the Senate Majority Housing Omnibus Bill.

"This bill will increase the percentage of the conveyance tax allocated to the Rental Housing Trust Fund to provide consistent funding which is critical for developers to build more affordable housing here in Hawaii. The Governor highlighted increasing the percentage of conveyance tax into the Rental Housing Trust Fund this year in her State of the State speech. This Fund helps finance the construction of affordable rental apartments, an integral component in trying to address the issue of affordable housing. Because of past raiding by Democratic Legislatures, this Fund is in need of a cash infusion and this method of funding appears appropriate.

"However, we all know that that the government cannot build all of Hawaii's housing needs no matter how much money we throw at the problem. That is why we must produce public-private partnerships with our local contractors. This bill appropriates funds so the State can form public-private partnerships with private and non-profit builders for construction of 4,000 affordable housing units.

"We also must make sure that we use all the funds available to us from the federal government. I was glad to see that that the Finance Committee included language that would allow Hawaii to maximize the amount of federal dollars we can receive. We must be aggressive in pursuing affordable housing here in Hawaii.

"In closing Mr. Speaker, this bill is a good start for providing affordable housing in Hawaii. I hope this legislative body will now look into removing our many regulatory barriers for developers so the appropriations in this bill will produce the maximum amount of good for the people of Hawaii. Being homeless should never be the price for living in paradise. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1917, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1841) recommending that S.B. No. 1284, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1284, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, in regards to Stand. Com. Rep. No. 1841, I'd like to give short comments and strong support. Mr. Speaker, your Minority Caucus had a bill similar to this that just basically starts to address the unfunded liability, and we stand very strong on that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1284, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1842) recommending that S.B. No. 1833, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1833, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Third Reading by a vote of 48 ayes to 3 noes, with Representatives Evans, Marumoto and Meyer voting no.

At 10:28 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1931, SD 2, HD 3
S.B. No. 990, SD 2, HD 3
S.B. No. 1026, SD 2, HD 3
S.B. No. 1154, SD 2, HD 2
S.B. No. 1672, SD 2, HD 3
S.B. No. 1917, SD 3, HD 2
S.B. No. 1284, SD 2, HD 2
S.B. No. 1833, SD 1, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1843) recommending that S.B. No. 1950, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1950, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, this bill is S.B. 1950, S.D. 2, H.D. 2. With reservations, Mr. Speaker. And my reservations are basically that we can do a little more to help out this situation. This bill should be amended in Conference Committee to include rehired, retired public employees who work more than 50% of the time, but less than 100% of the time, and they're hired for more than 89 days."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you. On the same measure as Stand. Com. Rep. No. 1843, S.B. 1950, with reservations. I also have some concerns that I hope gets worked out in Conference. We're looking at potentially a crisis in certain areas, and so this is a way to fill the void and rehire. My only concern is it's supposed to be for hard-to-fill positions. I'd like to make sure that these positions are 'at will'. And that when these retirees come back to work, as you will note in the bill, it says they're covered by the union. They will become union members.

"I just want to make sure that the people moving up the ladder, that we have good jobs for our young people and they have ability to move up. Maybe they need to go back to school so they can quality to move up their career ladder, but I don't want some of these retirees to come back. I do want them to come back, but also if people, if there is a pool of people to choose from, I think management should be able to say it's no longer a hard-to-fill position. We have people to fill it. So I just don't want them coming back and we don't have an out where we can ask them to leave. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. For the benefit of the prior speaker, this bill was actually amended to ensure that those that are being rehired are only for those critical, hard to fill, or labor shortage positions, and that's on page 2, line 7. In addition to that, to discourage any people taking early retirement, this bill also includes a provision that a retiree must retire and stay out of the position for at least one year before qualifying to be rehired."

Representative Ching rose in support of the measure with reservations, and asked that the remarks of Representative Evans be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1950, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1846) recommending that S.B. No. 917, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 917, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with some reservations. This appropriates funds to the Department of Public Safety to develop a plan to return all female prisoners incarcerated in mainland prisons back to Oahu, and I am definitely in support of that goal.

"The only thing that I have some concerns on is basically there's a hard and fast date of being able to do this by July 1, 2009. To be able to put that into legislation when we're still trying to develop a plan, to me, would be kind of a difficult thing to do. We have to understand how much money we need in order to do that, and what PSD needs to do in order to get there. So, I think in putting a plan together and then making a timeline according to that, instead of a hard and fast July 1, 2009, which is a little over two years away. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 917, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1848) recommending that S.B. No. 880, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 880, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," passed Third Reading by a vote of 51 ayes.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1851) recommending that S.B. No. 188, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 188, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments with comments requested to be put in the Journal. I'm in strong support because this is a bill that is good news for the small business community. This is the Small Business Regulatory Flexibility Act and is a direct result of a White House Conference on Small Business, I believe, under President Clinton in the early '90s followed by the Hawaii State Congress where every island, and every association had input into this creation.

"Basically, this bill clarifies when the rules are made for the regulation of small business, there's actually a feedback mechanism and a review process that the small business community is very excited about. This is a very good bill with good news for the small business community. Thank you, Mr. Speaker."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. This bill was originally introduced by the Senator from Hawaii Kai. The purpose of the measure was to clarify the Small Business Regulatory Flexibility Act.

"It would achieve this purpose by providing that a small business impact statement will be prepared and submitted to the Small Business Regulatory Review Board as early as practicable in the rule drafting process, providing that adopted rules affecting small business will be reviewed to determine if they are still appropriate within five years after adoption, and making nonsubstantive changes to Chapter 201M, HRS, to clarify the definition of a rule and to remove outdated sections of the chapter.

"The bill was amended a few times and in its present form it does the same basic thing, but it goes a little further in that it asks the Board to review all new rules, not only the ones they think should be reviewed, and asks that the Board would inform small businesses whose complaints that have not been upheld, that the business may submit a complaint to the Ombudsman. Some other points about the bill.

- It clearly sets forth when a small business impact statement is to be submitted to the Small Business Regulatory Review Board during the drafting phase for new and changed administrative rules.

- It adds review of new changed rules to the list of the Board's "powers" that were focused on existing rules.

- It requires a draft to be sent to the Board which are essentially complete, encouraging a dialogue between the drafting agency and the Board before it is sent to the Governor and for public hearing.

- It requires agencies to submit rules to the Board every odd year for review and for the board to review them and submit a report of the results to the Legislature.

- It allows a small business to petition the rule making agency objecting to the impact of a rule. If the agency doesn't make changes, the Board will consider the merits of the petition. If the Board does not recommend the small businesses changes, then the Board should tell the petitioner that they can submit their complaint to the Ombudsman.

"In closing, Mr. Speaker, these changes will continue to ensure and allow that our smallest firms have a voice in ensuring that Administrative Rules are not overly burdensome, while regulatory agencies can still provide for consumer, environmental, and workplace safety considerations as they carry out their responsibilities."

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I strongly support SB 188, SD2, HD1, which modifies the Small Business Regulatory Flexibility Act by improving the procedures by which rules that impact small businesses are reviewed. This bill would increase the probability that proposed rules that would adversely impact small businesses would be caught early in the process and modified so as to minimize or eliminate the unintended consequences. Since small businesses are the economic engine that drives most of our state's economy, we need to be diligent in protecting them."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 188, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Third Reading by a vote of 51 ayes.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1852) recommending that S.B. No. 1943, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1943, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you. Mr. Speaker, I'm rising to speak against this measure. Mr. Speaker, this bill, S.B. 1943 will add biofuel processing facilities to the list of permitted uses for agricultural lands. I think we all need to pay particular attention to this, because I think that making the bioprocessing plants a permitted use is far too broad.

"For example, this bill will allow buildings, storage sheds, silos, parking lots, administrative offices, all of these associated with the biofuel processing facility itself. This can certainly use up prime agricultural land for more industrialized purposes and really cause a negative impact.

"Another concern is that the private agricultural land is exempt from Chapter 343, our environmental disclosure statute. So I think there are some issues that we need to look at as this goes forward. I believe one of the counties suggested that the special use permit process be used instead, so that process has a lot more protections than just saying right off the bat, this is a permitted use. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in support. If you think back to the days when sugar was king and pineapple was queen, you had the refineries on ag land in all the rural communities. And it was regulated by the EPA and environmental laws. If we're going to see us remain committed to alternative energy and finding energy independence with biofuels, these facilities have to be close to where the crops are grown just like they were for pineapple and sugar. Therefore, it's a good bill and deserves our support. Thank you."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support, but do recognize that this measure needs to be massaged a little bit. What we would like to do is tie the cultivation of fuel crops to the processing of fuel crops on agricultural lands. There are some interstate commerce issues regarding that and how to word it, but we do recognize that there should be some tie-in with crop cultivation, as well with the production of biofuels. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I, too, would rise in support of this measure. This measure addresses our over-dependence on petroleum by encouraging the production and use of biofuels and energy feed stock in Hawaii. This is consistent with our mission to safeguard our State's agricultural lands.

"This measure would encourage further agricultural productivity of IAL designated lands by adding biofuel processing facilities to the list of permitted uses of ag lands. Additionally, the measure would encourage us to make greater use of our State's many untapped renewable energy sources by establishing an energy feedstock program in the Department of Agriculture. This program would in turn encourage energy feedstock production and establish core objectives and milestones governing that production to meet Hawaii's energy requirements. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in support of SB 1943, SD2, HD2, which adds biofuel processing facilities to the permitted uses of agricultural lands. It is ironic that many of the environmental lobbyists who have been pushing for renewable energy would oppose this bill on the grounds that it would convert some tropical forests to farmland. You can't grow renewable fuels without using land – it's that simple. And, it doesn't make economic sense to situate processing plants far away from the crops being harvested, as any former plantation manager could tell you. So, if you're opposed to both fossil fuels and renewable crops, what is left? Giving up cars entirely? While that might please a handful of radical environmentalists, the overwhelming majority of our citizens recognize that our industrial civilization would collapse without motor vehicles, and do not support going back to horse and buggy days."

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am rising in support with reservations, as well, and I'd like the words of the Representative from Kauai entered as my own. In addition, I'd like to add my comments to make sure that in this bill, there is specification that, as the Chair of Ag suggested, the feed stocks are from Hawaii sources and included because that seems to be missing. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1943, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Thielen voting no.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1854) recommending that S.B. No. 795, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 795, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. This bill would create a State Building Code Council to establish an updated comprehensive statewide model building code and design standards. My concern is that building codes have always been handled by the counties. I think that's appropriate. I'm a little bit concerned about this may be creating a new mini bureaucracy.

"I note that they were asking for $500,000 a year, so we have to have somebody in charge of this. I think the council members, which there would be nine to start off with, are not paid. But it looks like so many things we have which is a duplication of effort, and that doesn't seem like the most efficient way to operate. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, we can't get the county councils to update the building codes. The County of Hawaii's is since 1991. A lot of things have happened since then. It's important that we have a statewide building code.

"I've had members of county councils from both the Big Island and Oahu saying, 'Take it off our backs because we don't want to have to deal with it.' In this bill, we are giving the counties the ability to conform to certain disasters that might strike those islands, for example, hurricanes on Kauai and earthquakes on the Big Island. Again, in strong support."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Stand. Com. Rep. No. 1854 regarding building codes. I stand strong in support of this measure. This bill is about time for us, especially for the different counties we have. This will help construction. Each county has their own regulation that we have to go through. I know we're talking about streamlining a lot of things. Right now we have a construction boom. If we're going to impede the progress, whether it has to do with homeless or other situations, we need to help the counties. This is one way for us to have a uniform code which will help the process. So I stand in strong support, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 795, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1855) recommending that S.B. No. 662, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 662, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS LOAN GUARANTY," passed Third Reading by a vote of 51 ayes.

At 10:42 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1950, SD 2, HD 2
S.B. No. 917, SD 1, HD 2
S.B. No. 880, SD 2, HD 2
S.B. No. 188, SD 2, HD 1
S.B. No. 1943, SD 2, HD 2
S.B. No. 795, SD 2, HD 1
S.B. No. 662, SD 2, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1856) recommending that S.B. No. 1066, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1066, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. As you now, this bill is about helping the State fight against invasive species. The bill will require the Department of Agriculture to create a schedule of fees for pest inspection, quarantine and eradication. It also instructs the Department to add late fees and other fees to a special fund.

"To add some of my objections, Mr. Speaker, my comments are not about opposition to fighting against invasive species. In fact, I'm all for that. My objection is how we're going about it. It would seem to me that if this is such a big problem and listening to farmers and others on the Neighbor Islands and Oahu, I believe it is a big problem, then we should be appropriating enough money out of the general fund to combat this problem.

"Additionally, there are federal funds for this program. Are these funds in jeopardy? Do we know the answer? Should we get the answer? Do we even care? Maybe we shouldn't set up a new fee schedule until we find the answers to our questions. Maybe we should appropriate enough funds from our big surplus right now to make sure we have enough funds to fight the problem. This sounds reasonable to me. I hope it sounds reasonable to some in this body, and I hope we get answers to our questions and we come with reasonable solutions before this bill has made it all the way through the Conference Committee process.

"The people in our State who make their living in the agricultural industry, deserve this. They deserve the very best from us. Let's get it done. It's very critical. My concern is with the new fees that will be charged on almost everything that is shipped in here. There were a lot of different groups that had concerns about this. Any time shipping has a new fee, they're going to add it to the cost of goods they bring in, which means you and I, everyone in this State, will pay more for the things that are shipped in here for us to purchase. Thank you, Mr. Speaker."

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. In opposition and I would like to adopt the words of the prior speaker and insert them into the Journal as if they were my own. Part of what the prior speaker said was that who's going to pay for this? Essentially, we are. Our neighbors and our families in the form of a higher cost of living.

"What's being proposed here is a good idea except for the part where the source of the money to combat invasive species. The issue of the problem of invasive species in the State of Hawaii is coming from the importers instead of the exporters. We cannot do anything about the exporters through State laws. This is a federal issue. It is an interstate commerce issue. We must encourage our national delegation to change laws so that those people who import and export products, and bring them into the State of Hawaii, will be the responsible party for paying for the cost of the prevention of invasive species, in fighting invasive species in the State of Hawaii.

"We're doing what we can by funding programs in the State of Hawaii with general funds to combat the existing problem as we see today. However, obviously, that is not enough. The plants in Lake Wilson are an example. The coqui frog program in Hilo and the Big Island is another problem. The brown tree snake coming from Guam. Those are all problems that we are very concerned about, but we should also be concerned about our standard of living here in the State of Hawaii. It is very expensive to live here. And, you know, the more we tack on fees for products that we are going to use in our daily lives, such as toilet paper, food, rice from whatever source we're getting it from, it really is going to make it more difficult for our families.

"So, instead of doing it this way, I think we should really encourage our federal delegation to do something about interstate commerce so that the source of the funds to combat invasive species problems in Hawaii will be directly addressing it. Thank you very, Mr. Speaker."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. This measure will establish a schedule of service fees and charges for invasive species, pest inspection and quarantine services from entities that import any article or packing material. The bill also establishes a Pest Inspection and Quarantine Treatment Services Fund.

"Mr. Speaker, the State Department of Land and Natural Resources testifies that and I quote, 'The lack of an adequate sustainable funding is the single greatest problem that the State, federal and private agencies face in the fight to protect Hawaii from harmful invasive species.' Our State has already experienced significant destruction and harm by invasive species, such as the gall wasp, miconia, and also the nemesis, the coqui frog. Remedial measures are costly and should be subsidized by importers of commercial shipments instead of the general excise tax base.

"Mr. Speaker, other areas of the world have experienced irreparable destruction by invaders such as snakes, specifically, the brown tree snake, biting sand flies, midges and many others which have negative impact on visitor resorts in Tahiti, the Caribbean, and many other places. It is prudent that this body be pro-active and responsible in protecting our fragile native eco-systems.

"Many of those who have said that the service fee approach will result in increased cost to importers, which would then be passed along to consumers. Your Committee on Agriculture has seriously considered this point of view and is concerned about what the cost impact may be to our local merchants and consumers. However, it is clear, Mr. Speaker, that the benefit of preventing the entry of new pests, far outweighs the cost of trying to control and eradicate the pest population once they have established in our State For those reasons, Mr. Speaker, this bill deserves support. Mr. Speaker, I urge you and my colleagues to join me in voting yes. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm going to vote against this measure. My objections are similar to the Minority Floor Leader who wants to fight invasive species, but her objections go more to the increase fee. And I question that increased fee.

"There's a menace out there that threatens us in Hawaii, and it is the brown tree snake. It's a menace that will cut our electrical supply and desecrate our environment by eating birds' eggs, frogs and other amphibian insect eaters. It could ruin our poultry industry if left unchecked. Small pets will suddenly disappear. In Guam, the snakes have attempted to eat babies, starting with their arms, but then fortunately it stops at the shoulders. There are 15,000 snakes per square mile on Guam.

"In the early '90s, Senator Inouye recognized this threat coming from Southeast Asia, and inserted $2 million for a snake prevention program in the Department of Defense budget, which guards us from the planes arriving from Guam. He had been ridiculed for this program. On the mainland they simply don't understand our fear of the brown tree snake because there are snakes in every state, but they are relatively harmless. They have no idea what it could do in Hawaii.

"In the early '90s, I also obtained State funds in the Department of Agriculture budget to supplement the federal program, and I understand these funds are still imbedded in the budget. But now we have another disaster. The federal money, I understand, will stop in May. I hear that the Finance Committee has wisely inserted $679,000 plus in the '08 budget, and $179,000 plus in the '09 budget bill. My question is: Is this enough to protect us from the brown tree snakes, and other invasive species? Can we stop the brown tree snake at our ports and harbors? Do we need this bill to assess another fee to stop invasive species? I would appreciate a definitive answer. Meanwhile, I will be voting no on this measure. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations, with similar comments as the prior speakers in regards to the cost implications."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1066, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Marumoto and Sonson voting no, and with Representative Brower being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1858) recommending that S.B. No. 896, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 896, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 50 ayes, with Representative Brower being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1859) recommending that S.B. No. 907, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 907, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, on the aerospace development, I'm in strong support of this and would ask that I have remarks inserted in the Journal. I think that some people don't realize how involved we have been with aerospace. Our present Mayor had pushed hard to use South Point on the Big Island as a launching site to send satellites into space. That didn't happen at that time, but people are always looking to Hawaii.

"We've been a global leader in astronomy and astrophysics for years. We've developed a world-class facility atop Mauna Kea and helped support 13 international observatories in their studies of galaxies and star formation, so this is a real acknowledgment of the fact that we are out there. We're not out there yet, but we are located ideally and this is a great industry and this is a great bill. Thank you, Mr. Speaker."

Representative Meyer's written remarks are as follows:

"I am in support of SB 907, SD2, HD2, which promotes opportunities for aerospace-related jobs in this State. This is a desirable industry, with high-paying jobs, and we should encourage organizations working in this field to relocate to Hawaii."

Representative Ward rose to speak in support of the measure, stating:

"I also stand in strong support of this measure. Mr. Speaker, this bill is literally, 'out of this world,' because it is aerospace and it's really the real frontier; the one that we've not gone or ventured to go yet.

"As the previous speaker said, we really have a leg up on this. We have Mauna Kea. We have companies that have contributed to the astronomy discipline ahead of any other place in the world. The University of Hawaii has worked with the U.S. military, the Air Force and the Navy in particular, whether it be at Haleakala, or on Kauai, with the Navy. And just to name a few of the people that they

are working with which includes the 'big boys': Boeing, Raytheon, Northrop, Lockheed Martin, etc.

"The exciting thing about this bill is, not just because it's space, but because we can really do something very real and very concrete by creating this Office of Aerospace. This bill, for example, could create a Pacific International Center for Space Exploration. That's a big term for a couple of simple things. One is, space tourism, a new concept. Something that says essentially, you take a regular airplane which goes off a regular launching pad, not like Ka'u and the Big Island with all the difficulty of going vertical. You basically put a rocket on the back of it and you can go up with it in a number of hours, experience weightlessness and come back down. And that's space tourism.

"You could also fly from Honolulu, estimated to arrive in Japan in 45 minutes. Space tourism. There's also the simulation of the moon, Mars and other landings on the Big Island because of the lava there. That is a natural environment that lends itself to it.

"But I should close by saying that we are not without competition. Just this morning in the *Star Bulletin*, Los Cruces, New Mexico, just passed a tax increase to create a $198 million tourism spaceport. They have a lot of sand and rocks out there also, and they're taking it so seriously, they are having a tax increase.

"Mr. Speaker, this bill doesn't create any tax increases, but it gives us a new vision and a perspective for the future for tourism and to take us to scientific advancement. Thank you."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in support of SB 907. This bill renames the Office of Space Industry, the Office of Aerospace Development, and requires the Director of the renamed office to identify and promote opportunities for expanding and diversifying aerospace-related industries in the State. The ultimate goal of the office is to position Hawaii to be nationally and globally competitive and recognized in aerospace development.

"Renewing our commitment to this industry today is timely, as companies are looking at other States to infuse investment capital as well as new jobs. Our existing infrastructure and our geographical location give us a competitive advantage that is unmatched.

"Mr. Speaker, the aerospace industry and efforts to become a leader in space related science is not new to Hawaii. We must not forget the efforts of the past that have put us in a position to take immediate advantage of this golden opportunity. The only reason why NASA and other companies are currently looking to Hawaii is because of the infrastructure and programs that have been developed over several decades of work by former Governor Ariyoshi, former Governor Waihee, Senator Daniel Inouye, and many other dedicated, visionary individuals.

"Hawaii is not a newcomer to the aerospace industry. It is already recognized as a global leader in astronomy and astrophysics. World-class astronomy facilities have been developed at the Mauna Kea Science Reserve, with investments of over $1 billion supporting 13 international observatories.

"The University of Hawaii is home to over 40 principal investigators accruing more than $60 million in annual grants from the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), and other federal agencies that support space related programs.

"The United States military has made significant investments in Hawaii's aerospace industry. The Air Force Maui Optical and Supercomputing Site (AMOS) atop Mt. Haleakala supports our nation's largest space surveillance site. The Navy's Pacific Missile Range Facility on Kauai maintains the world's most extensive and sophisticated multi-environment range, capable of supporting simultaneous surface, subsurface, air and space operations.

"Fledgling local companies such as Oceanit, NovaSol, Textron, STI, Solipsys, and Trex Enterprises are engaging in aerospace related technologies.

"Major national aerospace corporations such as Boeing, Raytheon, Northrop Grumman and Lockheed Martin, already positioned in Hawaii, have potential to expand operations to Asia-Pacific markets.

"The future opportunities for Hawaii are exciting to say the least. In the coming months NASA will seek to identify remote locations in the US to develop "ground-based analogue capabilities". Hawaii has many strategic advantages and could be very competitive in the site selection process. Hawaii's mid-Pacific, near equatorial location makes it the only state in the nation from which payloads can be launched into any orbit without over flying populated areas. This enhances launch efficiencies, reduces launch costs, and maximizes public safety.

"A spaceplane under development by Rocketplane Kistler takes off and lands at an airport like a commercial jet plane, but uses a rocket engine to carry it to space. Rocketplane Kistler has requested permission to launch from Hawaii by 2009. It projects launching from Honolulu International Airport and returning to Honolulu or Kona.

"The long term build out, 5 to 6 years, include trans-Pacific flights between Hawaii, Japan, and the continental US. Over $200 million in annual gross revenues are projected through launch fees paid by tourists, universities, private companies, and the Department of Defense.

"Rocketplane Kistler also plans to develop a terrestrial space themed education and training center in the Kalaeloa district.

"The prospects for Hawaii are exciting and challenging as we enter a phase of expansion in this industry. I urge my colleagues to remember where this all began, and support this continuing effort."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 907, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Third Reading by a vote of 50 ayes, with Representative Brower being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1860) recommending that S.B. No. 1929, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1929, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This bill removes the criminal penalty of a misdemeanor for any person who intentionally violates the rules of procurement. And, secondly, it adds the imposition of an administrative fine which is set out in rules that don't yet exist.

"This measure requires that procurement policy board to establish proposed rules for administrative fines to implement this measure before next Session, to take the misdemeanor charge out of the law, and not have rules in place. It makes you wonder if somebody knows somebody who could come under this law with a

misdemeanor and they don't want them to be caught in that web. I don't know.

"The review of whether one is in violation and assessed administrative fines will be reviewed in what appears to be a closed-door discussion between the Chief Procurement Officer, the using agency, the AG's Office, and the corporate counsel. I'm not actually sure what they're trying to do here. There's an old adage, 'if ain't broke, don't fix it'. If the purpose of this bill is to emphasize the seriousness of procurement rule violations, this measure fails to execute our purpose. We seem to be moving in the other direction. Thank you, Mr. Speaker."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1929, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Meyer voting no, and with Representative Brower being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1863) recommending that S.B. No. 156, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 156, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be voting no on this measure. I have no opposition to absentee mail voting. I think I mail in my ballot every election. However, the permanency of the mail ballot is a temptation I think, could lead to fraud. If the voter notification postcard is not returned to the Office, then another ballot will be mailed out and there's always room for mischief there.

"If someone dies, that person is supposed to notify the Clerk that he will no longer be voting, and actually it would be the widow or widower probably, but that's probably the farthest thing from their mind when somebody dies. That we must tell the Clerk that we will not be voting. If somebody moves away, they don't think of notifying the Clerk. If they go to jail, that's, again, the farthest thing from their mind. So I'm concerned about this particular provision of this bill, so I will be voting no. Thank you."

Representative Manahan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. I do appreciate the intent of the bill and the work that was done by the Judiciary Committee. I understand the safeguards that have been put in, but having been an elections administrator in the past, I do have serious concerns, especially with regards to, as the previous speaker noted, the notification of death or change of voter's status as far as going into prison.

"There's a tremendous backlog in the Office of Elections, and they are so tremendously understaffed, especially during an election cycle. It's difficult to even be able to update those when you're trying to update the voter registration. I don't think this bill addresses that and hopefully if it does go through, that it will allow them to get more staff to do that.

"Also, in my district the majority of the votes are done through absentee voting, I don't think the safeguards protect the voters for the potential abuse that happens on the actual filling out and the collection of ballots in some cases. I'm seriously concerned about that and I think that maybe if we are to address this issue properly, we also should look into the complaints process against election fraud, as well as being able to not fear the intimidation of filing a complaint. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I ask that the words of the Representative of Kalihi be incorporated as my own. I think he expertly pointed out some pitfalls and flaws with the bill. My concern would be, to reiterate, that there's not the proper staffing right now. Unless there's going to be a copy of notification from a death certificate, the question, when you look into the details, and the devil is always in the details, really what way are we to know for sure that someone is no longer there, either through death or through moving.

"There's no way to check. And as was pointed out by the Representative of Kahala, that's the last thing on the minds of people who's loved one has passed away. So, truly, while this has a good intention and which many people would love to see, and work to see that registration is up and that voter participation is up, we don't want to do it in a way that invites fraud. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. I just wanted to counter some of those arguments. I think people need to realize that this bill is really strongly supported by AARP because I think we are starting to realize absentee voting is really about the ability for people to exercise their right to democracy and the fundamental rights of voting.

"While people may have these speculative fears about fraud, they will have to remember that that is a crime. So, if you fill out somebody else's ballot when it's not you, that's election fraud, and that's something that can be prosecuted. So, I don't think that should be a valid fear for us to not go down this road.

"When I was looking on the data on the Office of Election website, when we look at back in 1992, the earliest date that they have for the elections, back then only 40,000 people were using absentee ballots. That basically was about 8.7%. It only came out to about 1/7th of the people actually going to vote who are using absentee ballots. But we see every year thereafter, it's a substantial increase, such that, by 2006, there are 118,000 people using absentee voter ballots. That's an increase of over 70,000 of our voters participating in the democracy that we have in our State. But more so than that, it's almost one-third of those ballots cast were through absentee ballots.

"That is something I think we should remember. We need to make exercising of their fundamental rights easier, and not harder. And we cannot be using fear of bureaucracy or say that it's going to be too hard, or that we don't have enough resources, or that there is going to be potential fraud. I don't think any of those reasons are compelling enough for us to inhibit somebody's right to vote. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. One of the arguments against the bill is that the Office of Elections doesn't have the necessary resources. Well, interestingly, they supported this measure. And in fact, we introduced, at least on the House side, this measure for the Office of Elections. Would have, could have, should have, aside. This bill does try to increase voter participation. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"I rise, Mr. Speaker, in strong support. Anything that does encourage voter participation I strongly support. We have the lowest in the nation. We've got to do something. We have to do something. My parents vote absentee and they're in their 80s. They have to go through that same process of reapplying every year and, really, that's how they're going to stay voting. If they get this, that gets to be permanent. I vote absentee and I would appreciate the convenience of this.

"In Oregon, it's all mailed ballots. So, they've dealt with it. I think what we need is, people are really concerned about fraud. We should do a study on voter fraud. How much is actually happening, and how we prevent it. But however we can get people's ballot into their hands, however, we can get it to them, I support very strongly."

Representative Sonson rose to speak in support of the measure, stating:

"Mr. Speaker, thank you very much. In strong support. I sort of empathize with my good friend from Kalihi in his objection to this particular measure because this is a situation where I think, he had bad personal experience in that election process and using absentee ballots. However, that personal experience should not be adequate to oppose this bill.

"This will ensure that more people will be able to vote and will want to vote. It is so hard to get our communities in Kalihi, and also in Waipahu, it's hard for them to make it to the polls. This is to encourage them to participate in their government. I think that this bill has adequate safeguards in the bill on page 3.

"In addition to that, I think if we pass another measure, that will ensure that those who are indeed, committing fraud or election fraud, will go to jail and subject them to hard labor for two years. There is a little glitch here, on page 3, line 17, however, I think it makes it very difficult to stay on the permanent list. Because if I were to study and analyze the voting records or voting habits, at least in my district, a lot of people vote at least once, but it's very difficult to have them vote twice. So, this safeguard number 4, actually ensures that almost all of the people will drop out of the list. I think this provision eventually will put people to sleep in thinking that they are on the list and not register again for absentee.

"I request that this provision should actually be removed. It should read that 'if the voter does not return a voter ballot by 6:00 p.m. on election day in an election year', should be sufficient so that if the voter does not vote for that election year, then that person has to re-register for an absentee ballot the following year. So, that way, if somebody does miss to vote in the primary or the general election, they could still permanently be on the list of those who are registered to vote in the absentee process. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just a short comment in opposition. If you could incorporate the words of the Representative from Kalihi as my own, as well as just to say that, I have nothing against the absentee ballot. In fact, I find that's an okay procedure to go through. I just am in opposition of making it permanent, Mr. Speaker.

"I've noticed when I went door to door. I said if you had the option of either going in person or doing it absentee, and when I explained to them that you could do it absentee, they would just look at me and say, 'Wow, that's so easy.' It really is a simple process and it puts some responsibility on the voter to have a responsibility to, if you want to do absentee ballots, to just let them know that you want to do an absentee ballot. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. Yes, we want better voter turnout, but at what cost? We don't want to negatively affect the integrity of the process. My concern is we could have, as the Representative from Foster Village said, if you have, especially townhouses and condos, you have maybe three or four names at the same address. I can see where some people would be tempted when those absentee ballots arrived, three or four of them, to fill out all of them. So you would have some people voting three or four times, and then others that are not voting at all. I don't know if this would really solve the problem, but I do think it has the potential to damage the integrity of our voting process. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, it's interesting the discussion we're having because if you look at our current system, people can vote by absentee ballot and they can send in by mail asking for it. What it does, though, is you have to come back every year and just do it over, and over, and over again.

"The other thing is if we're really worried about people leaving the State or dying or whatever, I know from my own personal experience they can be on there four, six, eight, ten years and not be living in the same residence anymore. Supposedly, it gets purged if people don't vote after two election cycles, but I found out that's not necessarily the case. So, the way the system is working now it has a lot to be desired, and I do think this absentee ballot is a great way to go.

"For a lot of people, it's the only way they can vote. Either they're in wheelchair, they're elderly, or they've got these really, really busy lifestyle that we all talk about, voting on Saturdays when everybody's running their kids to soccer and all over the place. It's just not working so I really like this and I hope we move it forward. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Just one short comment and how extremely difficult it is to catch someone who has done election fraud. We've had many complaints and most of the time they just say, 'Never mind. Let's not deal with it.' Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I just want to say with regard to this fraud question, I think with the absentee ballots, we have exactly the same problem now. If you get an absentee ballot in the mail, you can take it and fill it out for somebody else and send it in. And if you have several people in the house who are voting absentee, you can mail them all in. Forging a signature is pretty easy and I don't see that if this bill passes, it will be any difference in terms of potential fraud. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 156, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Belatti, Ching, Finnegan, Manahan, Marumoto, Meyer and Ward voting no, and Representative Brower being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1864) recommending that S.B. No. 1928, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1928, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations. There are two different topics that are addressed in this particular bill. I have some concerns that in particular, in extending the role of the Auditor concerns with regards to the moneys that is going to be needed for post audits and to establish an investigative unit and all the details that are listed in the bill.

"The second concern that I have is the blank amount appropriated in this bill allocated for the 2050 Sustainability Taskforce. So I hope that the Committee on Conference will take a look at each of these issues separately. If the intent is to create an investigative unit for the Auditor to be able to look at the malfeasance and the different issues that are going on with perhaps regards to appropriate use of funds relative to our sustainability efforts.

"I think it's a little premature at the moment. We will have a draft according to the Taskforce leadership by June as to how the State Plan will be modified, as to how the 12 Functional Plans might be adjusted to reflect our movement towards sustainability, and perhaps at that time, it might be a little bit clearer as to what role the Auditor might play in helping us fulfill those plans, especially with regards to the Executive departments. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. My reservation really has to do with the Department of the Attorney General. They did comment on this bill and we heard it in Finance. They wanted an amendment in there because the Auditor might start an investigative unit on somebody or some practice, and the Department of the Attorney General may already have something going on. They wanted some kind of communication so that they wouldn't be working on the same thing and at cross purposes, but that amendment was not put in in Finance, so that's my concern. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please note my reservations for the same reason."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you. Reservations for the same reasons."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1928, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and with Representative Brower being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1865) recommending that S.B. No. 1191, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1191, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," passed Third Reading by a vote of 50 ayes, with Representative Brower being excused.

At 11:18 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1066, SD 2, HD 2
S.B. No. 896, SD 1, HD 2
S.B. No. 907, SD 2, HD 2
S.B. No. 1929, SD 2, HD 2
S.B. No. 156, SD 2, HD 2
S.B. No. 1928, SD 2, HD 3
S.B. No. 1191, SD 2, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1866) recommending that S.B. No. 1853, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1853, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to Stand. Com. Rep. No. 1866, S.B. 1853, S.D. 1, H.D. 2. This is another bill that has a very good intent, but its structure may be not thoughtfully crafted at this point. This bill creates a too burdensome bureaucratic layer that may delay the management process of Hawaii's natural and cultural resources to the point of bordering on irresponsibility.

"The Aha Moku Councils are stated to be advisory bodies in this bill, but at the same time this bill gives them the power to establish regional community development programs, which have policy making and regulatory functions. According to this bill, all State agencies would have to go to these Councils for input on various State actions as related for the management and maintenance of marine, land, culture, agriculture and natural resources. Mr. Speaker, in this Legislative Session, we talked about how to fast-track permitting process. I'm afraid that this will create an extra layer of bureaucracy that would actually lengthen processes for our businesses. Thank you."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I also rise with reservations on this bill. This bill does need a lot of work and it does add another layer of bureaucracy and may hinder getting public input from a broad range of community members. I'll wait to see what comes out of the Conference Committee, but I am concerned on the structure of this bill. Thank you."

Representative Takai rose in support of the measure with reservations, and asked that the remarks of Representative Morita be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Sonson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with reservations, too, for similar reasons to those that have been expressed by my colleagues. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. This bill and its many forms, started off with a concept that people in the Hawaiian community, practitioners, *kupuna*, needed a way for them to

comment on the way the resources of this State were being managed by government agencies. This is one way for people to have input.

"The decisions still rest with the existing agencies and I think in a lot of the bills that have come before this body this year regarding various natural resources, I think the underlying message is clear. Some people in this State, and a lot who are Native Hawaiians, feel left out of the existing process. I ask my colleagues to endure with us on the journey of this bill to try and make things more accessible for those. Thank you."

Representative Ching rose in support of the measure with reservations, and asked that the remarks of Representative Morita be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I would like to echo the words of Representative Chong, but also add to that, that over the past 200 years, Hawaii has seen and experienced severe changes. These changes include the deterioration of the Hawaiian culture, language, values and land, the *ahupua'a* system, that has, in part, resulted in the over-development of the coastline, alteration of fresh water streams, destruction of life giving watersheds, decimation of coral reefs and the decline of endemic marine and terrestrial species.

"Mr. Speaker, the Native Hawaiian's culture has knowledge and has been passed on for generations and is still living for the purposes of perpetuating traditional protocols, caring for and protecting the environment, and strengthening cultural and spiritual connections. It is through the Aha Moku Council that Native Hawaiians protected their environment and sustained the abundance of resources that they depended on for thousands of years.

"Today, many Hawaiian communities are becoming revitalized by using the knowledge of cultural practitioners that was passed down through *kupuna* and experienced farmers or *mahi'ai*, and fishermen or *lawai'a*, to engage and enhance sustainability, subsistence and self-sufficiency. Furthermore, many Hawaiian communities are interested, concerned, involved, willing and able to advise government agencies, organizations and other interested groups in integrating traditional knowledge and *ahupua'a* management practices.

"Mr. Speaker, I realize that in the form that this bill is in today it needs some massaging. But I just ask my colleagues to give it a chance as we journey through the legislative process because yes, the structure is not perfect. But as we discuss not only with native Hawaiians, but with every community member that comes forward who was interested in the *ahupua'a* management system, we are collecting that input and trying to work through to come up with a way that Native Hawaiian practitioners can voice their concern, *kupunas* can bring forward their knowledge. Because it's all about building trust in each community. And also teaching the respect and the protocol that they have done for centuries; to bring it forward so that we're able to bring forth best-practices management.

"I'd also like to say that this is in an advisory capacity. It is up to the department to set the policy. So this is only in an advisory capacity that Native Hawaiians will have a voice. Thank you, Mr. Speaker."

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support and ask the words of the previous speaker be incorporated as well. This is not another level of bureaucracy. You have to have bureaucrats to have a bureaucracy. And these Aha Moku Councils are not bureaucrats. They are people of Hawaiian ancestry who have joined together to try to create an actual process that they can have more effect in creating better laws.

"On Maui, there is great excitement in seeing these brought back. In my efforts to put back the trails and to put back as we were talking about the indigenous architecture, we also have to put back the actual structure that people were able to govern themselves with. And these Aha Moku Councils are an exciting step in that direction. In order for us to really bring back the culture, we have to put back the very things that they used in order to govern themselves.

"So we're looking forward to actually seeing a new general plan that actually incorporates these Aha Moku and the *ahupua'a* as our land use. And it's going to be real important that we have a structure for people to tie into to be able to affect this plan. So I ask that colleagues also to look at this as a work in progress and that we can make it better, but we have to give them something."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. May I have the comments of the Representative East Maui, and also that of the Representative South Maui inserted into the Journal as if they were my own? In strong support. And just some brief real comments.

"I was kind of, I guess shocked, that this was being characterized as another layer of bureaucracy. I attended a meeting for the Councils in West Maui. And anybody who has been to Lahaina knows that you can't get anybody to show up unless you have a raffle to Vegas or a band. There were over 200 people there. And most of the people there were not of Native Hawaiian ancestry. They were just local common folks. Folks that engage in these practices themselves. And all they're seeking is a voice. And that's it. The governor still has power. The agencies still have a power. But what they want to make sure is that they have a voice and that also that the government looks at these traditional practices in ways of the things, the way things used to be done.

"So I hope the Members of this body will support this measure. As the Representative from East Maui so poignantly pointed out, there's work that needs to be done. But the underlying concept, participation by the citizenry and putting a check on the rulemaking of agencies that often act with total disregard, is not very much to ask. So I hope that we can support this measure and move it forward to Conference where we can work out some of these issues. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Can I have the words of the three prior representatives from the Maui in the Journal as my own? And I also want to comment that, we say, 'The life of the land is perpetuated in righteousness.' And having lived here, I've noticed this idea of the *ahupua'a*, from the mountain to the sea is such an important concept that I think in terms of planning, it's such a good thing for us to remember that *ahupu'aa* concept.

"I'm very excited by this bill. I think it has a lot of potential to really add to the discussion. Adding to better land use decisions. I just see it as just a really good concept that we should take forward and make sure that planners and our citizenry hear of that concept and what that concept has to offer to us. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Please just note my slight reservations. In regards to advisory capacity type boards, on Oahu we have our Neighborhood Boards and I can't tell you how frustrating it is to hear from the board members as to their only having an advisory ability and how they feel like they're really not needed because of that. Thank you."

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations, understanding all the underlying issues of this particular measure. I'm hopeful that as this moves forward this can also be a unifying measure for all the other Hawaiian groups. It gets kind of sticky when we start talking about Hawaiian groups and who's who, and who has the louder voice. I think out of respect for our host culture and best practices, this is a measure that is long overdue. I also hope, as the Representative prior to me just mentioned, that adjustments may be needed in the future to ensure that the advisory capacity of this particular council will be respected and adhered to. Thank you."

Representative Morita rose to respond, stating:

"Thank you, Mr. Speaker. Again, with reservations. My primary concern is that it's the empowerment of the community and I don't want this misperception that a piece of legislation, a statute, will empower communities to speak their voice. In my discussions with activists from my community, they empower themselves and they take on issues and they approach these agencies. And so my feeling is, yes we can strengthen the process, but we have to be real careful. Because it's up to community members to empower themselves. And not rely on a statute to do that. Thank you."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Thank you. The concept is a great concept. I think people in the Hawaiian community have approached me and have strong concerns about this. But it's an excellent opportunity for us to try to move forward, to give them a seat at the table to express their concerns about the Hawaiian culture and the practices. So I strongly support this and I'm sure between the wisdom of this body and the Senate, the kinks can be *lomi*-ed out in Conference. Thank you very much."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support and ask that the sentiments from the Representatives from Waimea, Lahaina, Hana, Kaneohe and Kihei be entered as my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1853, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Belatti voting no.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1868) recommending that S.B. No. 1674, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1674, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you. In support, Mr. Speaker. Thank you. Telemedicine is fast becoming a mode of providing quality healthcare. And any step that's geared to obtaining the development of telemedicine should be supported.

"Further, there is a shortage of radiologists in our State. And this bill, if enacted, will address this problem. In fact, at our Health Committee hearing, one of the testifiers had indicated that we have 48 radiologists who hold medical licenses in the State of Hawaii, out of whom 3 still remain in the State.

"This measure will allow radiologists to review the patients' images, interpret such images and issue a signed medical report for further patient treatment care. Again, the practice will be limited to whether the radiologist is licensed to practice. Therefore, it will allow those 45 radiologists who no longer live in our State to provide such healthcare to our State. In summary, this measure will use technology and innovation to provide better access to healthcare. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I am in support. This is about market share, Mr. Speaker because right now x-ray film can be faxed or emailed anywhere in the world, thanks to technology. So if you have a broken bone at Queen's Hospital, you can have a radiologist in Queen's New York read it for you. So this is about market share, because that would take away some of the business from the local radiologists. But I'm a *kamaaina* and so are they, Mr. Speaker. So I support it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1674, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1869) recommending that S.B. No. 946, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 946, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition to Stand. Com. Rep. No. 1869. Thank you, Mr. Speaker. We've actually talked about this in depth in a former Reading on the Floor, so I'm going to incorporate those comments as my own," and the Chair "so ordered." (By reference only.)

Representative Ching rose to speak in opposition to the measure, stating:

"On Stand. Com. Rep. No. 1869 in opposition and I did want to note the opposition of Mothers Against Drunk Driving. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 946, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Ching, Finnegan, Pine and Thielen voting no.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1871) recommending that S.B. No. 95, SD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 95, SD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

Thank you, Mr. Speaker. On Stand. Com. Rep. No. 1871. Thank you, Mr. Speaker. In opposition. I actually just discovered this a couple moments ago and I hope I'm correct on this, but I'm going to

vote no on this. I thought that this was just basically a technical amendment and the synopsis is basically that it repeals a provision that any positions that are reallocated must result in positions being transferred from the State and district offices to the schools. And then the pros on this under Act 51, the schools determine the number and the kind of positions required by the school, and therefore, this section is no longer necessary.

"In the full implementation of Act 51, that is true. The school communities should be able to make those types of decisions. But what we're having right now in regards to the implementation is a very slow implementation. And of the decisions that were made and that were adopted by the Board of Education, only 15% of that is actually being implemented at this time. So I think we are actually moving on this a little quickly. That we should still have this in law, and then when we are at full implementation of Act 51 or closer, to more of the implementation of Act 51 should we decide to repeal this provision. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 95, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VACANT POSITIONS IN THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Finnegan and Meyer voting no.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1873) recommending that S.B. No. 1068, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1068, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 51 ayes.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1876) recommending that S.B. No. 96, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 96, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 1876 which is the DOE drug testing bill, Mr. Speaker, I have some concerns about that. I will see what happens as the bill moves forward, so I have reservations."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Stand. Com. Rep. No. 1876, with reservations. Thank you, Mr. Speaker. Upon reviewing the bill, I think a good part of this is that this bill also adds in random drug testing, and what that is able to do is actually become a preventive measure. Many people in other labor unions also say that it's a preventive measure. I know in the fire department amongst friends, they'll say a lot of times that we decide not to do this because we can be tested at any time. So I think that that is a good measure and that's a really good thing that we have put into the bill.

"My questions are in section 1 subsection (b), (c) and (d). I'm not sure what this language gets to. It almost sounds like, 'Okay, well here we are. We have the test results.' And that's it. It kind of almost negates some of what we would need to do, and especially this part that says it becomes invalid if there's a valid collective bargaining agreement. I'm a little iffy on that because I think that's why we're doing it. Because maybe the labor union hadn't done it prior and we're not sure what's going to come up. So what if they come in and say, 'Okay, we're not going to address this issue,' although they have said that they will address this issue? Then does that mean that this is null and void?

"So I do have some questions on this. I'd like to support it as we go forward. However, I'm not sure if it has what everybody thinks it has in it. Thank you."

Representative Bertram rose to speak in opposition to the measure, stating:

"Thank you, Speaker. I rise in strong opposition to this. I think I've expressed this at Committee hearings and other times as well. But this 'War Against Drugs' is actually a war against people. People say that these drug tests are for illegal drugs. The reason they're testing for them isn't because of their affects on people. Specifically it's for marijuana because that's the reality of these tests. That it will really only catch marijuana. It won't really catch the other ones because of the way it's set up. It's not for any other drug. It's not for the way overuse of prescription drugs. And it's not in response to any problem that has been identified; that people coming to work on drugs or not being able to perform their duties because of it.

"So what this is, is a war against people. And it's a war against marijuana. And it tramples our civil rights. It requires that people hold a standard to themselves that has nothing to do with job-related performance. And so I would really ask people to really think this through. Really reconsider this whole War on Drugs. And really look at why we are testing people and punishing them just because the government at one point or another decided these things were illegal, specifically marijuana. And to really think how do we get the best teachers? How do we get the best firemen? How do we get the best people, even in this Legislature? Because I know that we're actually going to be looking at maybe drug testing ourselves. So I would ask everyone who votes for this bill to go and take a drug test ahead of time so that you can practice what you preach.

"We must stop this war against people. We must look at people that are taking all kinds of things. The most prevalent drug use is prescription drugs. And that's what being relayed right now in our kids. Our kids, marijuana use is going down. OxyContin use is going up. Is this what we want to promote? Do we want to see kids abusing prescription drugs, because that is the major problem that is facing our society right now. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some strong reservations. The previous speaker has very little to worry about with this draft of this bill because it essentially does nothing. It would make it so somebody has to get a drug test. But then, as the Representative from Foster Village pointed out, on page 2 section (b), it says that if the test results are positive, the employer may impose the following sanctions. So there's no demand that the principals do anything. So this is a really weak, weak bill that was introduced to try to solve a real problem.

"Recent press has brought attention to the problem of teachers being caught up in drug activity on school grounds. The press coverage included an elementary school teacher arrested and charged with conspiring to bring in a shipment of ecstasy and cocaine. These are serious drugs. And a high school teacher for conducting ice deals on campus. This bill was introduced because we must ensure that our teachers can be trusted and are setting a good example. This cannot happen when they have a drug problem.

"Some would say marijuana is benign. But I don't think a stoned teacher coming to school is a good representative of the Education Department. They are not going to be effective. Their thought process, everything will be affected. So this is not a small problem. Hundreds of Hawaii's families send their kids to school with the idea

that it's a safe place to go, and as legislators we should do everything possible to make sure that's true. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker. I rise in strong support on this matter. I see the drug testing as a deterrent to drug use and as another armament we have towards the war on drug abuse. Whether we are searching for prescription drugs, marijuana or otherwise, I think it's good to be in the know on what our children or teachers on campus with them. I think the thought that you can be tested for drug at any time is a deterrent first of all. Secondly, it's a way to filter out those people who use them. I strongly support this measure and I would go and submit myself for drug testing any day. And I think it's good."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly. I just wanted to counter some of the arguments that have been brought up, specifically in terms of the safeguards that are put in the bill on pages two and three. What we have to remember here is that this is actually an infringement on somebody's privacy rights. And privacy is a fundamental right under our State Constitution, unlike the federal Constitution where privacy is found in the penumbra of rights and is not explicit.

"In Hawaii, we have an explicit right to privacy. And therefore, whether you like it or not, I hate to tell you, but that's a fundamental right. And when you are infringing on a fundamental right, you need to make sure that people have due process. If you don't like that, what you need to do …"

Representative Meyer rose, stating:

"Mr. Speaker. Is the speaker speaking in support or opposition?"

The Chair responded, stating:

"He is in support of the measure. He already stated it."

Representative B. Oshiro continued, stating:

"Let me make it clearer then. Some people have said that there are too many problems with this because there are too many safeguards. I'm explaining why we need the safeguards.

"The safeguards are there to protect and give due process when we are infringing on a fundamental right. I don't know how much clearer I can make that, but privacy is a fundamental right. If you infringe on it, you need to give due process. That's what pages 2 and 3 are about. It's about due process. Because first and foremost, just because a test is positive, it does not, one hundred percent guarantee that the person has used drugs. There are false positives. Also, you cannot guarantee that the person has not used something other than what you're testing for. Some times you have prescription drugs that test positive on them and that may not be exactly what you're testing for either. It's not about health and safety sometimes if the person does have a prescription. So this is what it's about. It's giving due process rights for those individuals that do test positive.

"Now, to get to the other concern that I have with the bill. It was changed and that is why I'm a bit concerned because it does include random drug testing. Now that's something I think that does raise some constitutional concerns. There is a multitude of case law on drug testing of public employees, and while the courts have specifically found that it's fine for things like firemen, police officers and bus drivers because there is a direct correlation to their safety, when it comes to something like teachers, the case law is all over the map as to whether you need what's called, individualized suspicion. And that is what we have in the prior draft of the bill. I see that it's been changed to reasonable suspicion. So I think that's something we need to further look at as the bill continues to move.

"I do think that for now, people have said that this is something they want to see us bring forth. There were four or five arrests recently. Of course, that's only out of 13,000 teachers, so whether four or five justifies us to pass a bill and change law I'm not sure, but at this point in the game I think it's early enough where should bring it up for discussion. We'll see if the union and the employer are unable to come to an agreement and come up with something in their own collective bargaining agreement which I think, would be more prudent move; that they together come up with a mutually convenient or mutually agreeable solution. Thank you."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. Thank you. I really like the intent of protecting our children and making sure that they're in a safe place, but I do have some concerns on and I want further discussion on this. One being that they did delete, if I'm reading this correctly, the support for the employee in terms of getting substance abuse treatment counseling and referral. I think we have to remember that we're dealing with a drug epidemic in Hawaii and that drugs probably cuts across the board at all different levels, in all areas of work probably, of people are having substance abuse problems.

"I also think we have to remember that alcohol abuse is a problem too, and that is a problem that is across the board, knows no boundaries. And when someone is an alcoholic, we understand they have issues, and hopefully we're there to support them and give them counseling and treatment. I hope when it comes with a drug part, if we see that people are in trouble, that we're there helping them with the treatment and the counseling, and that part of it. We have such an epidemic in Hawaii, and like we did a few years back, we really want to focus on that treatment and prevention part. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Second time with strong reservations. I'd like to address a couple of the comments that were made earlier. And I'll start with marijuana use. In my experience around me, marijuana use is different probably from some of the claims that marijuana may not be that harmful of a drug. But I've watched families and communities around us basically have some serious problems with this gateway drug. I've seen families torn apart because of marijuana. So if you think that marijuana is something that is, 'Oh, it's just a light drug. We don't have to really be careful about this type of drug.' I would argue differently.

"In regards to the whole issue about privacy issues, you know, we have Hawaii, four Hawaii labor unions that actually have this in their collective bargaining agreements currently right now. They have due process that is stronger than the language that they have in this particular bill. So I would argue right back on that and say that are we saying that these four Hawaii labor unions are violating privacy rights?

"I would also like to talk about children here. Kindergarten, first grade, second grade, third grade children for whom we cannot control their environment sat home if they have drug addicted parents. And if you talk to teachers, they'll tell you. Parents that are drug addicted can cause so much problems in school. But yet in the environment that we can control, their own classrooms, that we don't think it's important enough to have teachers not on drugs.

"And like I said, these are only whatever amount of arrests in comparison to the many good teachers out there and we're not out to get people who are not on drugs. We just want to identify those who are on drugs that could be possibly for these kids, cause them emotional distress. And if it can happen at home, when their parents are addicted to drugs, why can't that same emotional distress happen

at school? National studies have shown that if you have one, two or three bad teachers in a row, that these students will never recover throughout all of their grades of public school or private school. That's why it's that important. You can sometimes hide the fact that you may be on drugs from other people like your principal or other people outside of the classroom, but these teachers are with kids …"

Representative Marumoto rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"These kids are with, sometimes singly, with one teacher for a majority of the day. Hours and hours at a time without any other adults around. We need to be able to say, if the union doesn't take care of this issue, that we will have something in place. It has not happened. From what I could see in earlier media, was that there was major resistance to this. When I talked to teachers within my district, one way or the other, they're really not against this kind of thing. So all I've got to say is we've got some very young children in an environment that we can control. And I think we owe it to them, we owe it to their families to make sure it's a safe environment.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Tokioka rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, note my reservations with brief comments. I thought the number was a little higher than 13,000 teachers. And for us to pass something for a small group of people who have spoiled it for the masses is, I think a bad idea. And if we're going to do it to them, then maybe we should look at doing it to ourselves as one of the bills that's crossing over from the Senate. Thank you very much for the time, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Very briefly in support. The previous speaker made a good comment. I'm perfectly happy to be drug tested. The other point I'd just like to make briefly is that I think our school teachers have to be role models directly on the issue of drugs. I don't like over-testing people, but marijuana is a big deal and other drugs are a very big deal because people drive impaired and there are a lot of accidents, a lot of car accidents on Big Island and elsewhere. I don't know how we can really expect our teachers to stand up day in, day out and tell our students not to do drugs if we're not sure that they're not doing them themselves. I don't want to persecute anybody, but I do think that teachers have to be our best role models, and they have been great role models in the State of Hawaii. So I think it's kind of reaffirming their place as role models in the State. Thank you, Mr. Speaker."

Representative B. Oshiro rose to respond, stating:

"Still in support, Mr. Speaker. Very briefly. I just wanted to clarify. There's a difference between the collective bargaining agreement, which is a contract, when the union and employer agree to abide by certain terms, versus when we pass a bill. When we make a law, we need to follow the Constitution. That is the fundamental difference that I'm talking about. We have to stay within the constrictions and confines of the Constitution. And that is something that no matter how much you don't like it, we have to do.

"People can agree through contract to do whatever they want. And that's a different thing. So that's what I'm hoping that they will end up coming up with. I'm not criticizing what the other four unions have done. In fact, I think that's something very worthwhile and something that HSTA, I hope, is looking at. But what I'm saying is when we pass a law, we have to follow the Constitution. It's that simple. Thank you.

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. Reservations and couple of comments. First of all, in response to some of the comments made by the Minority Leader, I'd be very interested in any studies that shows a direct correlation between teachers who either sell drugs or use drugs and their performance in the classroom. In my opinion, drug use in our society cuts across every demographic group, whether it's good, bad or indifferent teachers. So the example of three bad teachers in a row would damage a child, I do agree with that, but I happen to not see the correlation between that and possible drug use among these supposedly bad teachers.

"Second point is, it always is the question of where do we strike that balance. Yes, I've heard people say, let's drug test because they're role models. Why not just fingerprint everybody for that matter and put them into an automated fingerprinting system so that if a crime is committed on campus, we know who did it? Where do you cross that line? I don't know if this bill crosses that line, Mr. Speaker. But I am concerned that it may have.

"And the last point that I would make as far as gateway drug of choice, many, many studies have been done that shows the gateway drug of choice today is alcohol. Are we going to do anything about that, Mr. Speaker? In fact, alcohol stays in your system for a very short time. So, if a teacher is high on beer or Grey Goose or something, how do we catch that teacher when she or he shows up to work on a Wednesday and they had a beer at home on a Sunday? Again, Mr. Speaker, this is a slippery slope, and I do appreciate the distinction made by the Floor Leader about contracts and rights to privacy. Thank you."

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with some reservations. I have a number of reservations, but I'll point out two. First, the bill makes reference to procedures, developing procedures under what they call, reasonable suspicion. And I suspect that as this measure goes along, and if it becomes law, one of the concerns will be who decides reasonable suspicion. In a school, the assumption is the principal. And I think we run into serious concerns if that's the case.

"Number two is, as the Majority Floor Leader mentioned, the contract negotiations ongoing with HSTA. There are other unions involved for employees at the school level; HGEA and UPW being the other two. In addition, Mr. Speaker, as was mentioned in hearings in the Education Committee, there are numerous individuals that work on the school campuses or volunteer or do whatever that are in close proximity of these students. And a previous proposed draft suggested that we also put these individuals under this type of scrutiny as well. So I stand with those reservations and I hope that we can fix it in Conference. Thank you."

Representative Sagum rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, please note my reservations on SB 96, SD3, HD2: Relating to the Department of Education.

"While I am cognizant of the cases of drug use allegations against teachers, I still feel that basically, MOST teachers are law abiding, honorable members of our community. This bill is a classic case of "punishing the whole class for the wrong-doings of one individual."

"Therefore, while I support the intent of the bill to create a safe teaching/learning environment for our children, I am not convinced that controlled substance testing is the proper or only answer. Thank you, Mr. Speaker."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"I will vote aye with reservations. I'd like to see a stronger bill and I would like to see us consider the use of dogs. Thank you very much."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose to respond, stating:

"Thank you, Mr. Speaker. Still in strong support and I just wanted to comment on what a previous speaker said the union should decide the policies on how we do drug testing. I think this body should be, as we call ourselves, the 'lawmaking body'. That we should be the one writing these laws about drug testing.

"And I am strongly in support of random drug testing so we can do away with this reasonable suspicion. I think that if we're working with children, that it should be part of your job to turn in for drug testing when called upon. This body had been very, very generous in protecting our children in Hawaii. And this should be one of the statements that we make. That we should police them ourselves that deals with them.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 96, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 45 ayes to 6 noes, with Representatives Berg, Bertram, Hanohano, Morita, Sonson and Wakai voting no.

At 12:02 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1853, SD 2, HD 2
S.B. No. 1674, SD 1, HD 2
S.B. No. 946, SD 2, HD 1
S.B. No. 95, SD 1
S.B. No. 1068, SD 1, HD 1
S.B. No. 96, SD 3, HD 2

At this time, the Chair announced:

"Members of the House, we will take a one hour recess for lunch and we will reconvene at 1:00 p.m."

At 12:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:15 o'clock p.m. with Vice Speaker Karamatsu presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1877) recommending that S.B. No. 994, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 994, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support with reservations. This measure proposed to expand the Enterprise Zone laws to include a business that produces air conditioning from a seawater air conditioning cooling system.

"While the intent of the Legislature is to encourage businesses to expand their employment base, I question whether or not they will be willing to employ those who are currently unemployed in the Downtown area. Economic growth at the cost of bringing an outside corporation and hiring those outside of the Enterprise Zone district is not what I believe is the original intent of an Enterprise Zone. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm just rising in support with some reservations. This bill is dealing with this company that's doing the seawater air conditioning cooling system. They received a SPRB from this body some time back. They've been added on as somebody that should do a tax credit because they're using energy that is not fossil fuel. Now we're creating enterprise zones. I just think that I'd like to see a little more independence from these people. It seems like they're constantly coming back for more help of some kind. I don't know who's behind it, but I can't remember a company that has had legislation moving through the legislature for so many years. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"On the same measure, Mr. Speaker. I will be voting yes with reservations and my reservations are similar to the Minority Floor Leader. The seawater company has received authorization for a special purpose revenue bond and in addition they are now seeking a tax break. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations with similar concerns, as well as the concerns of the Representative from Nanakuli.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 994, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEAWATER AIR CONDITIONING DISTRICT COOLING SYSTEMS," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1881) recommending that S.B. No. 138, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 138, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 138, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1882) recommending that S.B. No. 1923, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1923, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"On 1882, I just want to register my reservations. My feeling is this bill is a reaction to the situation in Kakaako Makai a couple years ago and I'm afraid maybe we've overreacted."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1882, please. I am rising in opposition to this measure. Thank you, Mr. Speaker. A few years back we had the situation in our community regarding the Aiea Library monies being released and being able to do a land swap. And what had happened was we got down to the wire. The previous Governor did not approve the measure, and so when the new Governor came, we tried to approach it trying to do a purchase of the land. In this case, this was something that the Aiea Representatives were very much for; this particular acquiring of this piece of land. And without the ability to just get it through the Executive, which we wouldn't have been able to I believe do this procedure in time before the expiration date. So I just, I'm voting no on this."

Representative Thielen rose in opposition to the measure and asked that the remarks of Representative Rhoads be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Sonson rose to speak in support of the measure, stating:

"I'm standing in strong support of this measure. For those of you who recall, there was an exchange of land that was approved, or actually we failed to disapprove, because the system now currently is that we have to disapprove by concurrent resolution, when there's a land exchange.

"There was an exchange of agricultural land in Maui being done with Maui Land and Pine in exchange for land in Waipahu. At that time I objected to it because they were promising that this 126 acres of land in Maui, they say that's useless for agriculture, that was being exchanged for something that's more useful in Waipahu. But you know, many years have passed by now and the land in Waipahu actually grew. Some time after that, we acquired more land in the industrial area in Waipahu. It's nice for, I guess for the State to encourage, I guess the DLNR to have different kinds of land within their inventory. However, because we don't have any oversight in the process, it was a done deal by the time it got to us, and we really could not convince the Members to disapprove it. And as you see, we still have this land in Waipahu, and I don't know how it passed or how it passed us that it now is actually doubled the amount of land that we own.

"The argument for it was that we will be able to have someone rent the property at $11,000 a month. Well, I don't think we have achieved that goal yet. And I know that Maui Land and Pine now sits on prime ag land and they have developed it. I think the estimate was each acre of those 126, at least the usable portion, was being subdivided so that each acre was maybe around $3 million. So you want to buy land in Waipahu, land swap that land from Waipahu, without any oversight from the Legislature. I think that is what this bill is trying to cure.

"I think we do have to have an oversight, especially when we're dealing with public lands, public trust lands. We want to make sure that the State is getting their money's worth for these land exchanges. And I do support this legislation and I hope that Members not take a look at this as a reaction to something that has recently occurred. Review the history. Because of our lack of oversight, the current process, there has been many land exchanges where the State actually suffered the consequence. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1923, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Thielen and Ward voting no, and with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1884) recommending that S.B. No. 1500, SD 3, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1500, SD 3, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you. Mr. Speaker, this is making an emergency appropriation for the Department of Taxation county surcharge implementation costs. Mr. Speaker, I'm with reservations on this because this appropriation will implement the GET tax increase collection for the rail project. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1500, SD 3, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1885) recommending that S.B. No. 1221, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1221, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAXATION," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Berg and Wakai voting no, and with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1886) recommending that S.B. No. 898, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 898, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY TAX INCENTIVES," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1887) recommending that S.B. No. 1034, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1034, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading

by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

At 1:26 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 994, SD 1, HD 1
S.B. No. 138, SD 1, HD 1
S.B. No. 1923, SD 2, HD 2
S.B. No. 1500, SD 3, HD 1
S.B. No. 1221, SD 2, HD 2
S.B. No. 898, SD 1, HD 2
S.B. No. 1034, SD 2, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1888) recommending that S.B. No. 613, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 613, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm speaking with reservations. Thank you. Mr. Speaker, this has a lot to do overall with early childhood, but it also addresses some issues with junior kindergarten, the pilot project that we approved and passed out. I did want to talk a little bit about that.

"I had the chance to review the report for the HEPC Annual Meeting, this is the Hawaii Educational Policy Center, in regards to the junior kindergarten pilot program. They did a whole report and I guess the concern that I have is a concern that I mentioned when we passed out junior kindergarten in the first place. And that was the reservation that here we are. We like a program. But a lot of the time when we're talking about programs, instead of having it implemented statewide, you really need to have people at the school level that are passionate about that program for it to work properly.

"The model program that we used, and I can't remember the name, but we did go and visit the school over on Maui and they had a wonderful program having to do with junior kindergarten. The problem that I see is the passion that was behind the counselor that started up that program in Maui is not in all the different schools that have the junior kindergarten program right now. Although they would like to try it, this is not necessarily their focus.

"And so what you have back in this report from the HEPC Annual Meeting, when they reviewed this, they took an evaluation of the experiences of the 2005-2006 pilot junior kindergarten schools. and as I read through it, in a nice way, they basically a lot of the feedback and a lot of the information in here that basically gave said there was lack of guidance. And if I could just sum it up in one word it was basically, confusion. A lot of the different schools were just confused because you had a lack of guidance and resources and all of these other things, but they were required to participate in it. And what we try to do in this bill in regards to junior kindergarten is say, 'Okay, well let's try and fix it on this level,' when really, if you want to have a successful program, it has to start from the bottom up. It has to be where these folks know what's in front of them. They know what they're getting into. They want to see it done and that's why you had such a successful program in this elementary school in Maui.

"And if you look at the different implementations of how junior kindergarten was done in some of these other schools, and the way that the pilot program or the originating program was done in Maui, it's hands down very, very different. In fact, one of the comments that they had in this report was basically how, actually DOE, one of the fundamental parts about assessing, which the Maui school does on a regular basis, before you come into the school and everything, DOE is actually against it and they said that there is no scientific background on it. That is one of the fundamental parts of the program that was successful. So I don't know how this is going to work out, whether or not we have people on board to do it.

"I do appreciate the hard work in junior kindergarten. I do appreciate what everybody's trying to do. I'm not sure if this is the vehicle in which we're supposed to be doing it and we're actually trying to make it work, and I'm not sure if the people at the school level believe in it yet. So I'm going to be voting with reservations because there are other measures in regards to early childhood education in here, but if Members could just take a look at the report because I think it's enlightening.

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. With all due respect to the concerns that all of us have regarding junior kindergarten. This measure is a work in progress and it offers a cornerstone of a taskforce that early childhood education has been working with and for, for the last two years. The Hawaii Revised Statutes 302A, 409 and 410 establish a policy that the Department of Education shall develop a plan for quality voluntary education no later than January 1, 2000. The State has been waiting for seven years so far for the Department of Education to create an early learning program. With the ongoing efforts of the taskforce it is believed that this particular measure is going to anchor the cornerstone for a system that starts with 4 year-olds.

"The plan that the DOE was supposed to have created by the year 2000 would have focused on children from ages four through six, based on the current national standards and needs of Hawaii's children, etc. etc. And our Session Laws of last year actually established the four cornerstones that we hold to be the foundation for an early learning system. One, looking at junior kindergarten, not as a program, but rather as a structural component of the Department of Education's movement of children going into the regular school system. An extension of parent interaction programs. And the necessity to have teacher standards and quality teachers in classrooms.

"So I encourage actually all of my colleagues, as the previous speaker said, to look at the materials that we have before us regarding early childhood and know that this is a work in progress. And we will have some cornerstones laid out very definitely by the end of this Session."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support, but with reservations. We heard this bill in Finance and it was often hard to figure out who was for the bill. There was somebody there from the Good Beginnings Alliance. They supported some things and not others. Early Learning Educational Task Force, they supported the intent, but they had other problems. The Department of Education did not support the bill at all, and the Hawaii Down Syndrome Congress offered comments.

"So we asked quite a few questions because it was pretty hard to tell who in that room was really behind this bill. But as the Representative from Aina Haina expressed that it is a work in progress, so hopefully when we get down to the end, it will please a fairly large number of these advocates. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 613, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1889) recommending that S.B. No. 871, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 871, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"I will vote with reservations. I'm on the verge of going no, but I'll stay with reservations on this particular bill. One of the reservations is using the Environmental Management Special Fund. Some of the testimony was basically saying how this is being depleted. I'm not sure if there will be support from this Fund for this program.

"But the major concern for me, I think is that again, I've mentioned this last Session, that one of the problems they have is as we try to go away from the centralized bureaucracy part with Act 51 or whatever vehicle you want to identify, this particular one, what it will have to do in order to have a statewide coordination or to have that kind of effect where DOE is responsible. We have to fund a position or whatever it is, and eventually if we do enough of those, we are actually adding to that, quote, unquote, 'central bureaucracy.' And I thought that that's what we're trying to go away from.

"That although these things have a lot of merit, where we want to see food waste recycling and solid waste recycling, what we have to keep in mind is we're actually talking out of two sides of our mouth. We're basically saying, 'Yes, yes, yes. Let's have DOE be responsible. Therefore we will add some more positions.' But, 'Yes, yes, yes. We want the schools to be able to have this money and decide on what is important for them.'

"I just think that we have to as a body, we should give the right signals on what we want to do. Then in the communities, if we do what we say we want to do, which is give the communities more control, then we will be able to say when they make their decisions to not have waste recycling or to not have other programs. Then there's some accountability there because they can go to their local principal or community and say, 'Why don't you have these?' And then the principals and the community can say, 'Because we chose other things that were more important'. At this point in time, this not in the direction that I think we all said we wanted to go in. Thank you, Mr. Speaker."

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I also rise with some reservations on this bill. Like the previous speaker, part of my concern is that the money is coming out of the Environmental Management Special Fund. Also, there are a lot of loose ends in this bill. We have to understand what we're trying to accomplish and really what will the pilot project look like. And we don't have a handle on the cost of this project. So this bill needs a lot more work."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'll be voting no on this bill. This was somebody's good idea. I think the schools have their hands full with No Child Left Behind and trying to get kids up to speed. And our passing a bill that requires a pilot project in one or more school districts when you've got the Department of Education not in favor of it, and the Department of Health opposed to the bill, the only person was in favor was a company called EcoFeed. I don't know what's in it for them.

"But if you're trying to teach kids that food waste in the garbage and the cafeteria can be recycled, they can do that on their own if they want to set up a compost area. Maybe one teacher in the school would like to do it. Food waste, if it's not meat, is great. You mix it with lawn clippings and leaves, wood chips, whatever they have. It's a good resource, but I can see why the Department of Education doesn't want to fool with it and the Department of Health doesn't want to take money out of that special fund. So I think this is unnecessary. Thank you."

Representative Luke rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I also rise with some reservations and the reservations were already stated by the representative from Kauai so if I could have her words inserted as my own," and the Chair "so ordered." (By reference only.)

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations as well. And hope that in the name of sustainability and in looking at how to become more self-sufficient, all of our Executive departments would review their policies and their methodologies of recycling all sorts of waste. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. And I have to say I agree with comments made by all the speakers on this measure."

Representative Belatti rose in support of the measure with reservations, and asked that the remarks of Representative Morita be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 871, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Hanohano and Meyer voting no, and with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1890) recommending that S.B. No. 885, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 885, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I won't belabor this issue, but I just want to do mention that this also is along the lines of the previous bill in regards to points I was making about mandating, helping the DOE establish something. Whenever you give them that, they can't concentrate on the other things. They have so many things on their plate. At times, I'm a critic of how they manage the system overall. But I've got to say that we are partially to blame when we have these types of issues come up and it's not necessarily the priority of a particular school.

"I stand in strong support of agriculture and culinary arts programs in general. Throughout our school system, we have a great one at Radford High School. I believe that there are others in other areas as well. Let them do it. And let us take, if other schools want to work together with schools that have implemented these types of programs, then great. I think that that's what they should do because if you don't have the people at that particular school that have the

passion to do this, then you're basically using or having the money spent not in the most effective way.

"So I am standing with reservations on this and just hope that we start to look at these things a little differently. Thank you."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I stand in support and I also have some slight reservations as mentioned by the Minority Leader as well. As we know, there are measures also this year that would establish what's called STEM Academies in 14 high schools, which is sort of a mandate on these schools as well, to carve out very limited resources. Overall, I think providing opportunities and options for all our students is a good thing. Again, the devil's in the details. This is the proverbial work in progress, just like these STEM Academies and the HIEST Academies, and robotics, and all the happy good stuff that has been promoted as well. So we'll see what comes up at the end of Session. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Mr. Speaker, with reservations and, *touché*. I think that that's a very good comment. That's why with this STEM program that is actually developed from and originated from the community colleges with their input, that hopefully what that will do is if there is no one interested in that program or has the passion for that program, then that program will fall flat. It does do a wonderful job at recognizing all the different schools that have the STEM program and are making significant affects within our education system."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 885, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1891) recommending that S.B. No. 1614, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1614, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in strong support. This measure will appropriate funding for the implementation of a new human resource management model at Waianae High School and its feeder schools to confront the teacher retention problem at the Waianae schools. If successful, this program will allow the DOE school system to recruit highly qualified teachers system wide. In addition, human resource goals will include: the establishment of clear expectations to teacher performance, professional development with career focused opportunities and an induction program to acclimate new teachers to the area.

"In closing, this proposal is vital for the Waianae coast. It will help to recruit and provide highly qualified teachers who will improve the education of the school system and increase the opportunity for students to achieve their dreams. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1614, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1892) recommending that S.B. No. 1820, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1820, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to this particular measure mainly because it will cost the State more to build these educational facilities and the interest rate is higher. So I think we should stick to the traditional way of financing our educational infrastructure."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1820, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1893) recommending that S.B. No. 1932, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1932, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1894) recommending that S.B. No. 992, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 992, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in support with reservations on SB 992, SD1, HD2. The purpose of this bill is to clarify that naphtha sold for the use in a power-generating facility will be assessed a 1-cent per gallon fuel tax. Apparently, there has been confusion about that fact. Currently, naphtha is the only liquid fuel when used for electric-power generation whose taxation is not explicit.

"For those of you who are uncertain as to what naphtha is, think of Coleman lighter fluid, or the fluid in your cigarette lighter. A Zippo uses naphtha, for instance. Another usage is aviation fluid. These are just some of the examples of naphtha. But the most common usage of naphtha is in the feedstock industry. So we have a number of people in the agricultural industry and other small businesses who are affected by this bill.

"The question I have is whether we are creating consistency in our tax laws, or actually giving users of this fuel a tax break. If we are

creating consistency, then I'm for it. If we are creating a tax advantage, then I believe this bill needs to be called into question.

"Those are my thoughts. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 992, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Brower voting no, and Representatives Bertram and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1899) recommending that S.B. No. 162, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 162, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with slight reservations on this bill. My reservation is a very simple question. Is Iolani Palace going to be renamed by this bill? Will it be the Museum of Monarchy History or will it be both? The people I've talked to really like the name, 'Iolani' so I state my reservation with a question.

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I am in strong support of SCR1899, SB162, SD1, HD2: Relating to Iolani Palace

"Mr. Speaker, the purpose of this bill is to designate Iolani Palace as the State of Hawaii Museum of Monarchy History and exempt the Palace from standards and conditions related to the receipt of funds contained in Chapter 42F (Grants and Subsidies).

"Iolani Palace deserves dedicated financial support from the Legislature, and SB 162 may be the vehicle to do this. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I do have some reservations because it appears like they're changing the name of Iolani Palace. I have some other concerns so I'm voting with reservations and will like to have these remarks inserted in the Journal," and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in support of SB162 SD1 HD2, which would support Iolani Palace by making it also function as the State's Museum of Monarchy History, and helping it receive grants and subsidies for that purpose. The history of our monarchy is an important record of our past which should be preserved and passed on to future generations. I do have a concern with how the bill is worded because it appears that the Palace would no longer be referred to as Iolani Palace, but the Museum of Monarchy History. That may be an unintended consequence."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 162, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Souki being excused.

At 1:49 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 613, SD 2, HD 2
S.B. No. 871, SD 2, HD 2
S.B. No. 885, SD 2, HD 3
S.B. No. 1614, SD 1, HD 1
S.B. No. 1820, SD 1, HD 2
S.B. No. 1932, SD 2, HD 1
S.B. No. 992, SD 1, HD 2
S.B. No. 162, SD 1, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1900) recommending that S.B. No. 1756, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1756, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Chong, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1901) recommending that S.B. No. 1400, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1400, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Chong, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1903) recommending that S.B. No. 1636, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1636, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1636, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Manahan and McKelvey voting no, and with Representatives Bertram, Chong, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1904) recommending that S.B. No. 1365, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1365, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"I rise in strong support of this measure. Mr. Speaker, this is another one of those innovative, creative measures for our future. It's a bill that will hopefully take us from the economy of land

development, to that of human resources development and puts stress on entrepreneurship, innovation and risk-taking. That is if we're going to be ready for the big wave of the global economy that's going to hit this island.

"This bill has been somewhat misunderstood, it's been characterized a little bit slightly differently, but basically it's a soft mandate to ask the ERS to invest in Hawaii's companies. And that is to encourage those that are promising, emerging companies, promising emerging companies means that they're not upstarts. They're not new risky businesses. They are those that have already got out of the chute and are off and running.

"Presently, the ERS has 5% or $500 million that it has allocated for these, 'alternative investments.' The only downside is that $360 million of that is invested now, but it's invested offshore on mainland companies and not one penny is in any of the Hawaii companies. This bill will not force the ERS, I repeat, this bill will not force the ERS to invest in Hawaii companies. It will run the same stringent profitability, feasibility, balance sheet, cash flow, profit and loss statement, and strictly as they would any other investment. It's simply saying to give the Hawaii companies a chance. And Mr. Speaker, if we don't believe in our own companies, who is going to be able to do that?

"This bill will kick in where Act 221 and Act 215 has already jumpstarted the high-tech industry. The difficulty is once those high-tech businesses start getting off the ground, they go from a $1 to $2 million financing need, to a $5 million need and above. And generally, this is when they leave Hawaii because that's where the money is, and that's where they're relocating. Unfortunately, when they leave, we lose jobs and we lose our tax base.

"On the contrary, this bill will have a brain gain rather than a brain loss, in terms of attracting companies, as well as keeping the high paying jobs here. The rising stars that we want to keep are the ones that we need this bill to send to message. These are those in the Hawaii business community. These are those listening on the mainland and in the world for what Hawaii's going to do. This is a shot across the bow for high tech companies to seriously look at us.

"Mr. Speaker, this bill could create the future Bill Gates. Could create the Oracles. It could help create the high paying jobs that everyone in this body very, very seriously desires to have happen. This is a creative innovative thing. It's about our future and I thank everyone for voting for it now, and when it comes up for the Final Reading in a number of weeks. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just in strong support and I ask that the words of the Representative Hawaii Kai be inserted as my own. I'd like to just say, 'Buy Hawaii, Invest Hawaii'. Thank you."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with some reservation. I just wanted to refute the argument that this is a creative and innovative idea. It was done nine years ago under different a type of packaging, with the same type of language. It was not a good idea then. It's not a good idea today."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also rise with reservations. This bill started out as a recommendation by the Governor that we have the ERS allocate $100 million for these investments. It has since then morphed in the Senate to an unspecified amount and now it is before us as a 3% allocation to Hawaii companies. What I would like to note, and I disagree with the speaker from Hawaii Kai, the total global ERS investments in venture investments at this time, as I understand it, is 2.5%. As this moves forward, I do think that there may be some merit to it, but I would like to see that percentage dropped lower to reflect a more prudent approach to spending our employees' pension funds."

Representative Berg rose in support of the measure with reservations, and asked that the remarks of Representative Belatti be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Sonson rose to speak in support of the measure, stating:

"Thank you very much. In strong support. The bill supports local businesses, and I'm in strong support for that notion. There is I guess, a misconception of the data here. There's actually $12 million that's already a part of the AI portfolio that's helping. It's not allocated, but won by a company through the process that is existing. What the bill tries to do is try to encourage more of the money that's being used for AI, that's alternative investments, to ensure that Hawaii gets a primary look or a careful look by the managers.

"What has been happening is that the Board is charged with this fiduciary duty to make money. The Board is doing a great job. If you only look at that, that their only job to the members is to make money, then we should not fight them if they want to invest in this kind of investment when it's bringing in 20%. What is prudent according to the experts is that with $10 billion in assets, is that they can invest up to three to five percent of that in AI. And when we go back and say if what the Board really wants to do is to get the maximum amount of money back for beneficiaries, who are the retirees, then that's why they invest in petroleum assets in Sudan, and of course we don't agree with that.

"It doesn't matter how much money you're making. It shouldn't go to that point. But on the other hand, we're trying to tell them again here, 'Look. You are investing this amount of money outside of Hawaii anyway. Why don't you try to take a second look at the opportunities here for the benefit of our economy. For the benefit of the people of Hawaii. For the benefit your own beneficiaries who have to live here anyway.' We're not telling you to invest in a dangerous situation. Make it so that you have the same standards as you look at other companies outside of Hawaii. This measure is to ensure that the managers that are being appointed, being contracted, that they can still fulfill their fiduciary duty which is to make lots of money, but we're telling them if you can make a lot of money in Hawaii just as well as you can make money in Sudan or any other place using the same methods, please consider Hawaii. So that's why I'm in strong support of this measure. Thank you very much."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. And I do agree that as far as the money from the ERS, I would rather see instead of a percentage like is in this bill now at 3%, just a dollar amount like the Governor had in her original bill dealing with funding for these innovation programs. And I think it would be a more conservative approach. So, perhaps as it moves along we can get that down to a dollar amount which was $100 million. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Thank you, Mr. Speaker. You know, it was really enlightening for me to be a part of the previous Committees. I think it was our TAC and EDB Committee jointly with Education. Anyhow, when questions were

being asked about how we have exercised our fiduciary duty, the ERS representative was basically explaining about some of the different types of AI or alternative investments they have made. Some in timber, and supposedly if I remember correctly that there was a major loss in that. Not here, not a local business. And we also discovered that there were, there was a Hawaii based company that went abroad to the mainland and actually got investment monies from another retirement system, state retirement system and it's doing very successfully.

"The points that Representative from Waipahu mentioned in regards to Sudan and that sort of thing, I think rang true to me. We do have the option, and basically what we're asking them is just to kind of guide them to say, 'Hey look here. Look here first.' Because if we do invest here, using prudent practices, we're not saying to you know put the blindfolds on and basically give them a chance even though they're higher risk normally than we would take. But this is basically the 3% or 2.5%, whatever we deem as being okay and saying let's give them a chance to be able to go in front of a locally managed investment company so that these guys don't have to go traveling all over to the mainland or whatever to try and make their point to get our ERS investment dollar. I think it's a prudent way to move forward. It's a prudent way to invest in Hawaii companies. Thank you, Mr. Speaker."

Representative Wakai rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. The second half of this bill dealing with the University of Hawaii, it is a solid part of the bill. The first part of this measure is somewhat questionable. The bill simply encourages investment. It does not mandate anything. It simply conveys the sentiments of lawmakers, so do we really need a law to go down this road? Wouldn't a resolution suffice?

"There is a resolution that is already moving forward. That resolution is favored by the ERS Administrator. Mr. Shimabukuro and his trustees do not support this bill. On repeated occasions I have asked the Director of DBEDT to get an opinion from the Attorney General regarding the fiduciary liability on trustees. He has never, over the past two years, gotten that opinion to us. So it is unclear if we remove that liability from the ERS trustees, if ultimately, that liability is placed on the taxpayers. If this idea goes south, are we actually putting the taxpayers of Hawaii on the hook for any potential losses?

"This was a novel idea nine years ago. It might be an idea we should explore. But I'm not too confident that we actually need a law rather than a resolution to achieve what we want to achieve with this idea. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Just a slight retort. I think what was said was very well said, and it applies to every investment that the ERS takes. If they go south on anything, they're going to be held accountable. What we've got here is essentially business as usual except, look local. For Hawaii. Ten billion dollars. It's not saying take any more risk than you are doing now, whether you're doing timber on the mainland, or making a lot of money in Sudan. It's saying business as usual, but geographically, Google Earth, come down, look at Hawaii. Be as stringent, as serious as the banks in this community. Look at anybody who gets a loan. We look at every investment. But we don't change our criteria. It's that simple. It's that painless, but it's that much of a benefit in terms of jobs created, tax bases and for a different kind of economy that all of us are so sad saying look all we've got is tourism, we've got military spending. Here's a chance to break out of that without any risks. To me that's a no-brainer, Mr. Speaker. It's business as usual, focused locally. That's the difference. Thank you.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1365, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Hanohano voting no, and Representatives Bertram, Chong, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1909) recommending that S.B. No. 1779, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1779, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Chong, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1910) recommending that S.B. No. 1642, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1642, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This bill arose because of a State Supreme Court decision that sided with the City and County of Honolulu quite a few years ago. They took thirteen garbage collectors that were sitting around and doing nothing and at the overstaffed Pearl City baseyard and transferred them to where they had productive work to do at the understaffed baseyard in Honolulu. The labor union involved was opposed to this move to increase efficiency and spend taxpayer dollars wisely. They wanted these thirteen workers to continue to be unproductive and force the City and County to hire new union workers for the understaffed Honolulu facility. Also, the union could increase its membership.

"This bill would set up unreasonable demands by labor unions at the expense of the taxpayers. And the most egregious thing it does is it interferes with the ability of government agencies to manage their personnel in an efficient manner by allowing negotiations over the criteria or basis to be used in management decision making on various employment actions. In short, they are taking the prerogative of employers to transfer employees to different locations. This has always been something that management can do and they want to put that into the collective bargaining process. I think we're making a big mistake if we pass this bill. Thank you.

Representative Sonson rose to speak in support of the measure, stating:

"I can't let that pass by without speaking in support of this bill. This is a very good bill. Yes, the labor bill. SB 1642, SD 1, HD 1, SCR 1910. This bill does not take away anything from employers or management. Employers always have their, the usual say on transfer in those internal matters that the Supreme Court says they have. What is at stake is really the 'how' part. Not the 'what'. 'What' is if you're calling it 'transfers, that's the 'what'. What are you going to do? Transfer people that are sitting around? We are not interfering with that. They can transfer them. We don't want you to proceed with this measure and vote on it thinking that that's what this is all about.

"This has nothing to do with what has occurred in the City and County of Honolulu and the facts in that case are somewhat different from what has been stated on the Floor this afternoon. But let's go back to this bill. This bill clearly says that management can decide the 'what' part. If they want to transfer any person to somewhere else, that's fine. That's their prerogative. The employer can always do that. But the 'how' part which is the criteria procedure. And you

know we have to avoid these major disruptions in people's lives too. And you know, this is a practice that's already out there in the City and County and the other counties etc. anyway. They do this.

"The reason why that this bill is before us is because there have been situations where the Supreme Court case has been used in a manner that's not supposed to be. If you are saying that our decision is final. You can't do anything because ILWU v. Hannemann says you can't. And the law, that was never the holding of that particular case. It was never meant to stop the grievance proceedings on the criteria and procedures, and that is something that is practiced anyway. Thank you very much."

Representative Meyer rose to respond, stating:

"Really I thought somebody would get up. I'd be happy to get up again. The Chairman of Labor seems to think that this is practically nothing new. But in the wording in the bill it certainly is. We've added a lot of new language and it says that this subsection which kind of described employer's rights, this says the subsection shall not be used to invalidate provisions of collective bargaining agreements in effect on and after June 30, 2007. And shall not preclude negotiations over these procedures and criteria, promotions, transfers, assignments, demotions, it goes on and on. It is clearly an effort to put these kinds of decisions under collective bargaining where they have not been in the past.

"In Committee, only the HSTA and the Hawaii Government Employees testified in support. And those that opposed it were the Office of Collective Bargaining, Department of Human Resource Development, the Judiciary, the Department of the Attorney General, the Department of Education, the Department of Human Resources of the County of Hawaii, Department of Personnel Services of the County of Maui, the Department of Human Resources of the City and County of Honolulu. It was strong opposition. The Hawaii Police Department and the Maui Police Department opposed this measure. Bigger minds and a larger group of people than myself, feel this is not a good bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1642, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Bertram, Chong, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1911) recommending that S.B. No. 750, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 750, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker, I'm concerned about a language change that was made in the bill in Finance. The bill initially required counties to establish a criteria for permitting vacation rentals. As many of us know, many of our communities are struggling with this problem. Advocates before the Finance Committee embraced permitting and want to be more regulated. So my understanding is they like that portion of the bill. Now that the bill requires the counties to establish a criteria for the control over vacation rentals, and bed and breakfast establishments. I'm just worried that this may have weakened the bill and it may throw the work regulations into even further unclarity.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 750, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Chong, Souki and Thielen being excused.

At 2:12 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1756, SD 1, HD 2
S.B. No. 1400, SD 2, HD 3
S.B. No. 1636, SD 2, HD 3
S.B. No. 1365, SD 2, HD 3
S.B. No. 1779, HD 3
S.B. No. 1642, SD 1, HD 1
S.B. No. 750, SD 3, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1912) recommending that S.B. No. 1093, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1093, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. I understand the purpose of this measure, which is to assure the health of our ocean ecosystem by appropriating funds for the development of an ocean health consensus project. In other words, to help establish rules that help govern the continued health and wellbeing of our oceans, and requiring that we get consensus from all parties involved. Mr. Speaker, my concern is not about this process, but about who decides what is consensus.

"I think it's important that we receive input from DLNR and from the University of Hawaii, but it's equally important that we hear from those who are culturally and traditionally affected by what goes on in our oceans. That means, Native Hawaiians and our local fishermen. These are people who have been around the waters of our great State for centuries. They know what works and what doesn't. They know where the problems are and they have passionate ideas about solutions. It's important that their voices are heard and heard loudly, and that they are not drowned out by bureaucrats or scientists or others with a political axe to grind.

"Let's make sure that our oceans are taken care of by the very people who are affected the most. I hope we can make this bill more definitive in that context as it moves forward. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1093, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN HEALTH CONSENSUS," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1921) recommending that S.B. No. 837, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 837, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I am in strong support on SB837 SD2 HD2. Mr. Speaker, this bill, amongst other things, authorizes the Agribusiness Development Corporation (ADC) to issue revenue bonds to purchase agricultural land in Kunia and Ewa from private entities.

"Mr. Speaker, I am a strong proponent of preserving our agricultural lands on the leeward coast to promote a thriving and growing community. "To preserve open space, farmland, natural beauty, and critical environmental areas," is one of the principles of smart growth, a concept I support. By passing SB837 SD2 HD2 open space preservation can be achieved and will improve our community's quality of life.

"Mr. Speaker, with all of the development occurring on West Oahu, it is critical to preserve and maintain our agricultural lands to maintain a balance between our *aina* and the projected growth. By supporting SB837 SD HD2, we are following the principles of smart growth for the Kunia and Ewa district. This measure will allow us to do what is *pono* by respecting the land, our culture, and the community. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 837, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1922) recommending that S.B. No. 323, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 323, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1923) recommending that S.B. No. 707, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 707, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I have reservations on S.B. 707, H.D.2 – Relating to a New Markets Tax Credit. While the intent of this bill, to encourage business investments in low-income areas, is admirable, the Department of Taxation's comments on the bill are revealing and raise questions that deserve further consideration.

"For example, the Department notes that, as drafted, it is possible "that only one or two taxpayers in the entire State may qualify" for the tax credit. The Department further states that "[w]hen it appears that the general public cannot reasonably qualify, a tax credit begins to look more like a directed subsidy to those few that qualify." The Department also raises concerns about (1) how this credit provides benefits to entities that benefit Hawaii, (2) whether this bill has recapture provisions so that the benefit to Hawaii is maintained, and (3) whether a state-run New Markets Tax Credit is effective at producing the intended result.

"As this bill moves forward into Conference Committee, my hope is that these concerns will be considered and addressed."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 707, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A NEW MARKETS TAX CREDIT," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1924) recommending that S.B. No. 1804, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1804, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This measure will provide an additional funding mechanism to the Trauma System Special Fund by adding a trauma surcharge on penalties for various offenses such as speeding, accidents involving death or bodily injury and convictions related to violence under Hawaii Revised Statutes 707 and 708.

"Here, the surcharges do have a logical connection and a nexus to the Trauma Special Fund as said offenses are associated with increased risk of serious injury. In fact, we just got information from Queen's Medical Center this morning that over 50% of their trauma patients have evidence of alcohol or drugs. I believe that the money from the cigarette tax is substantial, but it's not going to be enough. Therefore, the surcharge's additional funding will ensure that we have continual viability of the trauma centers.

"It's not only for Queen's, but this is throughout the entire State. In fact, in 2006, the Legislative Reference Bureau published a report on a crisis in trauma care for Hawaii, and they concluded that the rationale for public support of uncompensated trauma service is the same as for critical police and fire services. The trauma system is a necessary public service that ought to be publicly supported. For those reasons, Mr. Speaker, I support this measure and I hope that all members will support this measure. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some strong reservations. This bill would impose new taxes, surcharges levied on citations for traffic violations, drug use, or various violent crimes. While the underlying purpose of this bill is admirable, improving trauma care, we can pay for this trauma care out of existing general fund revenues. We should not gouge our residents by adding a slew of new taxes when we have the highest per capita State taxes in the nation. It's the highest. I'd say that the people of Hawaii are long suffering. I mean, they are paying big time.

"In addition, the nexus for these fees for the service that would be supported is very, very indirect. I also think because of the statute that was passed last year where the trauma people are getting money from the Tobacco Tax that's barely gone into effect, we should wait and see how much that comes out to before we jump on the bandwagon to find another source of money at the expense of our taxpayers. Thank you."

Representative Mizuno rose to respond, stating:

"That you, Mr. Speaker. Still in support. Mr. Speaker, the surcharge is actually targeted. This is for, as I mentioned earlier, speeding, accidents involving death or bodily injury. This is very targeted. It will also serve as a strong deterrent. So, hopefully, we can pass this measure and send a message to not drink and drive or cause bodily injury to others. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Could you just note my reservations on 1924, the Trauma Special Fund surcharge, for some of the reasons as the Representative from Kahaluu."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1804, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1925) recommending that S.B. No. 1919, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1919, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in strong support of Senate Bill 1919. This omnibus package, which has come to us from the Senate, has three major parts, two of which were subjects of House Bills submitted by our Women's Caucus. These parts relate to the Earned Income Tax Credit (EITC), Financial Education, and the Individual Development Account (IDA) program as a way of encouraging savings.

"Each aspect of this omnibus bill is geared toward assisting lower income people to become more self-sufficient and less dependent on public assistance. The passage of this bill will help those among Hawaii's residents who are in most need of help.

"As is reasonable to ask of any legislation involving appropriations, the question arises as to how this bill—particularly the IDA and Financial Education portions—will be funded. The language of the bill is clear, at least in regard to Part III, the IDA section, that Temporary Assistance for Needy Families (TANF) funds shall be used for this purpose. There have also been discussions with the Department of Human Services regarding the use of TANF monies to fund the proposed financial education program.

"Both the Legislature and the Executive Branch have spoken of the need to relax the tax burden on the most economically disadvantaged residents of our State. While there are differing opinions, along with various legislative vehicles introduced, about how this can be done, the EITC does represent a step in the right direction.

"I urge my colleagues to join me in supporting SB 1919. Mahalo."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support S.B. 1919, H.D. 2 because it provides targeted tax relief to low and moderate income families. This bill proposes a State Earned Income Tax Credit (EITC) that directly benefits working people. The EITC is designed to reward and encourage work, and it is a proven policy in twenty-one other states at decreasing the disproportionate, regressive tax burden placed on those earning the least among us.

"The Legislature has the opportunity this year to ease the burden on those who struggle the most and, in fact, are working to pull themselves out of poverty. This measure is not simply a hand-out, but a hand-up and a much needed policy to help Hawaii's working families."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1919, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ASSET BUILDING," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1926) recommending that S.B. No. 1946, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1946, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1927) recommending that S.B. No. 1283, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1283, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. I just would like my colleagues to note there was a newspaper article this morning that indicated that one-third of all cancer deaths last year were directly caused by smoking and that unfortunately efforts to curb both adolescent and adult smoking are being hampered by the fact that the tobacco companies are outspending the opposition to tobacco 23 to 1. This bill would make that situation even worse here in Hawaii and that's why I'm opposing it. Thank you."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takai rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1927, I rise with a no vote. I was going to give my 20-minute speech, but the Representative from Nuuanu suggested that I insert my written comments. So can I have permission to insert written comments? Thank you," and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"I am against this measure. Let me say at the onset that I continue to support the University of Hawaii and the UH Medical School.

"My objection to this bill is based on the old adage: promises made, promises kept. This issue goes back to 1999 when we set up the Tobacco Settlement Fund. It also goes back to the University's

initial commitment to the medical school in 2001. But, it also goes back to commitments made as recently as a couple years ago and, in fact, just a few days ago.

"If we don't hold the University or other departments to their commitments, what good are their promises? And how can we believe them in the future?

"In 1999, we created the Hawaii Tobacco Settlement Trust Fund. The then Chair of the Health Committee said: "If all goes as planned, someday when we look back on all the issues and measures I have had the privilege of being involved with, this measure, I believe, will be one of those that I will remember as being significant and very important."

"Not two years later in November 2001, when our nation was reeling from the attacks in New York and Washington, D.C., we came back in Special Session to pass a number of measures, including one that changed the initial funding formula for the Tobacco Settlement Trust Fund and diverted 28 percent of funding to the construction of the UH medical school in Kakaako.

"In 2001, we reduced our initial commitment to the rainy day fund from 40 percent to 24.5 percent. More importantly, in 2001, we reduced the money going into the Tobacco Prevention and Control Trust Fund from 25 percent to 12.5 percent.

"The commitment to use 28 percent of the funds for the UH medical school is much more than covering a $150 million bond float. It's really about spending 300 million dollars! The debt service agreement was originally pegged at $302 million or around $10 million for 30 years.

"In addition, the University committed to raising $150 million in matching funds to cover the cost of renovating the old Bio-Medical Sciences Building, to cover the cost of construction of the new Cancer Research Center, and to cover the operational costs of the new medical school in Kakaako.

"In 2001, I voted against our efforts to erode the promises we originally made in 1999. My vote today is in part because of this. But, my vote against this measure today is much, much more.

"We must hold people accountable for their words, commitments, actions, or, in this case, inactions. I would like to read from a few letters that I have received in the past.

"On March 25, 2003, Dr. Ed Cadman, former dean of the UH Medical School, wrote: "Our best guess would be that operation and maintenance costs of the facility will be between $6-$7 million annually. We expect to primarily fund these costs through F&A (facilities and administration) cost recovery from sponsored projects."

"Cadman continued, "We understand (the Legislature's) expectation that the new School campus will be financially self-sufficient and the importance of having the ability to accurately measure and evaluate the School's return on investment."

"On February 25, 2004, David Morihara, former Director of Government Relations, wrote: "We anticipate that a substantial portion of the operating costs of the core facilities will be funded in future years mainly through the extramural facilities and administrative recovery mechanism and secondarily through interest earnings on endowments generated from naming opportunities and a contribution from the ancillary services provided on campus."

"Director Morihara also provided us with a chart explaining the Operating Cost Projections from fiscal year 2005 to fiscal year 2009. The chart shows that there were initial state funds of $1.8 million to fund the start up of the medical school in FY05. An additional $3.9 million was needed in FY06 to carry the medical school through a second year of transition. However, in FY07, which is this year, the operations of the medical school were supposed to be nearly 100 percent self-sufficient. At that time in 2004, their own figures suggested that only $364,952 was needed in additional state funds to operate the new facilities. They projected needs of $352,094 for FY08 and $337,822 for FY09.

"On March 7, 2005, President David McClain wrote: "I do want to acknowledge that with regard to the funding of the operating costs of the research building and the educational building of the John A. Burns School of Medicine at its new location in Kakaako, initial commitments made in 2001 at the time the construction of the new facility was approved have been shown with the passage of time to have been overly optimistic."

"President McClain's comments were welcomed and necessary. Two years ago, he committed to re-doing the financial plans for the medical school. He brought in Professor Shirley Daniels to come up with the new plan. At that time, we approved an additional $3.7 million for both FY06 and FY07. This temporary funding was placed in our budget as a proviso because the University committed to fixing their balance sheets by June 30, 2007. According to their commitments just two years ago, they were only going to need this $3.7 million for two years. Afterwards, their financial plans suggested that very little State funds would be needed in this biennium budget for the operations of the medical school.

"So what happened this year? The University requested $4.1 million for FY08 and $4.35 million in FY09, in addition to the $3.7 million in the two-year proviso. Just two years ago, they said that they would need little to no State funds to operate the medical school. This year, they say that they will need $15.8 million for the next two years in new money! This is absolutely irresponsible.

"A few weeks ago, we passed our version of the state budget. I said then that I would support increasing the medical school base by $3.63 million and $3.95 million for the next two fiscal years. Our budget was very generous. The total general fund support to the medical school in our budget is about $5.6 million each year.

"But the University said that it was still around $4 million short in operating funds even after our very generous support in our budget. So, what did they do? They now propose making up the difference utilizing this bill.

"I asked Vice President Gary Ostrander what would happen if they did not get the additional $4 million for each of the next two years. He said that they would be able to survive, but will need to make some reductions to their financial plans. I told him that his comments on right-sizing the budget were the same comments we heard two years ago. Did the University right-size the budget two years ago? The answer is no. If they did right-size the budget two years ago, would we be in this predicament today? The answer to this is no.

"This bill will allow the University to access the leftover monies from the 28 percent annual allotment. The University did refinance the bonds last year. We need to acknowledge and thank them for this. Now, the payment for FY08 is $6.6 million and the payments for the out years are a little less than $10 million for each year.

"If this bill passes, the University will realize a lot of money. Next year, with a significant increase in funds going into the Tobacco Settlement Trust Fund, we calculate that the University will realize an additional $7.4 million! In FY09 and beyond, if this bill passes, the University will receive additional funds in excess of $3 million each year.

"How can we in all good conscience provide this amount of funds to the University? What we're saying with this bill is that the University is no longer responsible to keep their commitments, no longer required to keep their financial books balanced, because they can always come back to the Legislature if they should fall short. Is this a good message? My answer is absolutely NO.

"I wanted to talk a little bit about our commitment to the Cancer Research Center. Recall that in 2001 when we approved the use of tobacco funds for the medical school that the University's commitment was to provide the necessary funds to construct a new Cancer Research Center facility. Last year, we passed SB 2961, which became Act 316. This bill increased the cigarette tax from $1.40 per pack to eventually $2.60 per pack in 2011. Some of this increase was to pay for the construction and operations of the new Cancer Research Center. In fact, the University will receive $11 million, $16 million, and $22 million, respectively, for the next three years for the construction and operations of the cancer center.

"Last year in my Floor speech I said the following: "Years from now when we look back on this particular bill and our allocating of funds for three years to the Cancer Research Center, I don't want us to again be placed in a predicament to increase funding for the operations of these new buildings. The University of Hawaii and their leaders must be held accountable to their commitments. The taxpayers and in this case, smokers, deserve no less."

"Leadership means many different things to different people. To me, leadership means being able to say no to those who promise one thing, but do another. Leadership means being able to tell the University that they need to honor their commitments to make some difficult decisions.

"I want to assure my colleagues that the medical school will not close if this measure doesn't pass. Killing this measure sends a strong message to the University that they must redo the financial plans for the school. I urge my colleagues to vote against this measure."

Representative Chang rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chang's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 1283, the purpose of which is to support the University of Hawaii's John A. Burns School of Medicine by allowing the UH to use its allotment of moneys from the Hawaii Tobacco Settlement Special Fund to pay for the Medical School's operating expenses, in addition to paying for debt services.

"All of us in the Legislature were very proud – and rightfully so - of our role in helping establish the new Kaka'ako facilities of the Medical School when it opened two years ago. Its development has transformed a blighted, run-down neighborhood into one of the brightest areas of our State, as a showcase for modern medical education and health-related research. It holds the potential for serving as a catalyst for the growth of a medical biotech industry that improves human health and extends human life.

"But the John A. Burns School of Medicine – also known as JABSOM – is much more than a shiny new building.

- It has produced more than half of Hawaii's 3-thousand active physicians. It is taking steps to alleviate the shortage of doctors on our Neighbor Islands by establishing a medical residency in Family Practice later this year at the Hilo Medical Center, and plans to expand this residency to Kona, Kauai and Maui in future years.

- Its annual class of 62 medical students includes some of the best and brightest youth of the State. Our students excel – in 9 out of the past 10 years our JABSOM graduates scored above the national average in US medical licensing exams;

- JABSOM was listed this month in the US NEWS AND WORLD REPORT 2008 Rankings of America's best graduate programs. JABSOM's geriatric medicine program is rated 12th best in the nation – outdoing other medical schools that have far older reputations and far larger resources than Hawaii's. Our program was recognized for its work with senior citizen homes to improve medical care for our elderly and for its research to help our elderly lead healthy, productive lives.

- JABSOM's faculty are also spearheading research into some of Hawaii's most urgent problems – such as studying the medical consequences of crystal methamphetamine on the human brain and cardio-vascular system; experimenting with medicines that reduce the strong addiction to "ice"; and opening a clinic to assist pregnant women who are addicted to "ice." Today's Honolulu Advertiser headline announced the possible partnership by the Center for Disease Control and Prevention and the UH Medical School. This is another prime example of the type of function that avail the School of Medicine, which could serve as a model for other partnerships.

- The expenditure of Tobacco Settlement Funds on JABSOM is consistent with the Special Fund's goal of preventing smoking and dealing with its consequences. UH medical students and faculty educate high school students about the harmful effects of tobacco through the Student Health Education Program (SHEP). The ill-effects of smoking is a part of its basic medical education curriculum and scientific research. JABSOM's Dr. Elizabeth Tam holds an endowed chair on respiratory health which is leading research into the cause, prevention and treatment of respiratory diseases

"But there is a cost associated with operating and maintaining these facilities. Recent increases in utility rates have hit JABSOM especially hard because of the heavy energy use by its round-the-clock labs and scientific equipment. The annual cost of operating and maintaining the new Kaka'ako facility is about 9-million dollars a year.

"I know there is concern about the level of State support that's needed by the Medical School. That is why we are requiring the UH to complete, as soon as possible, a long-term business plan that incorporates the operational costs of its Kakaako facilities and projected overhead income generated by extramural research and training

"I am ask my colleagues to support SB 1283 because the funds provided by this measure will help JABSOM maintain a standard of excellence that benefits the health of Hawaii's people - now and into the future."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I want to declare a potential conflict. I sit on the John A. Burns School of Medicine Friends Board," and the Chair ruled, "no conflict."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure. This bill will allow the University of Hawaii – John A. Burns School of Medicine to pay for operating expenses with any money remaining after debt service for the medical school is paid. Current law requires 80% of the money remaining to be deposited into the Emergency and Budget Reserve Fund and 20% of the money remaining to go to the Tobacco Prevention and Control Trust Fund.

"Although this mechanism was set up in 2001, there has been minimal or no transfer of money to either the Rainy Day Fund or the Tobacco Prevention Fund because there has been, on average, a shortfall for debt service of over $1 million a year that has been made up by the University.

"Starting next year, in 2008, the State is expected to receive an increase in MSA payments. With the increase, the University will finally have enough money to make their debt service payments. Based on current projections, the amount that would be transferred to the Rainy Day Fund would be about $3 million. The Tobacco Prevention fund would get about $790,000.

"Promises made by a former President of the University should not preclude the current President of the University and Interim Dean of JABSOM from exploring different funding options. After all, we bear some responsibility for going along with the proposal of the former President. Let's be fair and open to exploring different proposals considering where we are today.

"The amount we provide JABSOM via this bill may supplant general funds being considered in the budget, so that JABSOM would not get a windfall if the projected increases in MSA payments materialize.

"Let's also be clear about what this proposal does. Under this proposal, the Tobacco Prevention Fund will still get over $2 million more each year, the Department of Health will receive $6 million more each year, and the Rainy Day Fund will get over $4 million more per year.

"Finally, the reporting requirements and sunset provisions of this bill will allow the Legislature to evaluate how each party spends its money. Our ultimate goal should be to determine whether expenditures are effective in reducing tobacco sales and use by the people of Hawaii."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and failed to carry, and the report of the Committee was not adopted and S.B. No. 1283, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," failed to pass Third Reading by a vote of 25 noes to 21 ayes, with Representatives Awana, Belatti, Berg, Carroll, Ching, Evans, Finnegan, Hanohano, Har, Luke, Meyer, Mizuno, Morita, Nishimoto, Pine, Rhoads, Sagum, Saiki, Shimabukuro, Sonson, Takai, Takumi, Thielen, Wakai and Ward voting no, and with Representatives Bertram, Cabanilla, Chong, Green and Souki being excused.

At 2:25 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1093, SD 2, HD 1
S.B. No. 837, SD 2, HD 2
S.B. No. 323, SD 2, HD 2
S.B. No. 707, SD 2, HD 2
S.B. No. 1804, SD 2, HD 2
S.B. No. 1919, SD 2, HD 2
S.B. No. 1946, SD 2, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1928) recommending that S.B. No. 1920, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1920, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Berg rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would like a ruling on a potential conflict. My second career is in the film industry," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1920, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 41 ayes to 6 noes, with Representatives Berg, Nishimoto, Saiki, Takai, Takumi and Wakai voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1930) recommending that S.B. No. 1823, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1823, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in opposition to this measure. This bill reduces the appointments made by the Governor to the Hawaii Tourism Authority Board of Directors from all twelve members to only two public members.

"There is no justification for changing the way in which the HTA board members are currently appointed. Testimony from many quarters has been in firm opposition to the changes, and the reasons stated for the proposed changes, are unclear at best.

"Under the proposed changes, there is a lack of an oversight process to ensure gender and ethnic equality and that all appointments represent each of the industries identified in the statute.

"The changes in this bill would exempt the HTA board appointment from HRS 26-34 which requires that "members of each board and commission . . . shall be nominated and, by and with the advice and consent of the senate, appointed by the governor." There does not appear to be justification for this exemption.

"Mr. Speaker, Starwood Vacation Ownership and Hawaii Hotel and Lodging Association both testified that the present appointment process to the HTA has served the State well, and also expressed puzzlement at why these changes are being proposed. Without any firm reasons for the changes proposed in this bill, one would have to conclude that this is yet another shameless example of a Democrat power grab to curtail the Governor's authority.

"Moreover, the bill goes beyond a power grab to a blurring of important distinctions between the legislative and executive branch when it comes to the appointment process by allowing the Speaker of the House and Senate President each to have three nominations to the Board. For the foregoing reasons, I am in opposition to the measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1823, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Third Reading by a vote of 41 ayes to 6 noes, with Representatives Belatti, Finnegan, Meyer, Pine, Thielen and Ward voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1933) recommending that S.B. No. 603, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 603, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Green, Souki and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1934) recommending that S.B. No. 1612, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1612, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support with reservations. I have grave concerns about this particular bill. The term, 'greenhouse gas emissions', is extremely vague. The largest source of greenhouse gas is derived from water vapor which is a natural occurrence and accounts for emissions up to 90%. Is the request to remove moisture from the atmosphere? If not, perhaps the authors of this measure should take a closer look at their desired outcome.

"I believe the need to create yet another "taskforce" at additional taxpayer dollars is unnecessary. There are existing entities who can provide such information. I am quite sure that these taskforce members will refer to the studies done by others to base their conclusions. Instead of creating new reports, let's tap into the research already done by professionals who have or are in the process of compiling their findings relating to the greenhouse gas emissions. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. I just feel like maybe this bill doesn't go quite far enough, fast enough. In Hawaii we are going to suffer probably more than anybody else in the world from global warming when our beaches disappear and the tourists quit coming because we don't have any beaches. That's going to be a big problem. I realize that our greenhouse gas emissions are miniscule compared to the rest of the world, but if we're not willing to lead when we are going to be affected so greatly, it's hard to imagine that anyone else in the world's going to be willing to help us cut back on greenhouse gas if we're not willing to make some sacrifices ourselves. So, while I support the bill, I feel like we probably need to go farther. Mahalo."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have strong reservations, although I'm pleased to see that the bill was amended the way it was. It just seems that there's some kind of hysteria going on in our country. I know I've heard the arguments over, 'everybody agrees'. I don't happen to agree with that. Based on a series of underlying though rarely stated suppositions, if any of these suppositions turn out to be false, their argument for government intervention would have to be treated with extreme skepticism. I'll just mention some of these.

"The theory that the entire earth is getting warmer. The fact is the global mean temperature appears to have risen about six-tenths degrees Celsius over the past 140 years. But much of the older data is suspect. For example, we didn't have any reliable temperatures for Antarctica until recently. Even though that continent has an overwhelming share of all the fresh water on earth, and while the average temperature is up slightly, some areas have cooled. Again, most of the interior of Antarctica appears to have cooled compared to when we first got reliable readings a few decades ago.

"Another theory. The amount of global warming in the next few decades will be very large. The fact is scientists have projected a wide range of average mean global temperatures for the future depending on the details of the computer climate modeled they use. The reality is that the global climate is an extraordinarily complex subject that is not well understood. Unless these computer models are simply guesses, no one knows what is really going to happen with any degree of certainty.

"Another theory. The warming is almost entirely due to human activities, not natural climate cycles or changes in solar radiation output. The fact is, the earth has undergone wide swings in temperature in the recent geological past, before industrialization had any major impact on atmospheric carbon dioxide levels. For example, Europe appears to have reached roughly the same temperature that we have now during the medieval warm period from about 1000 to 1300 A.D, during the time when solar activity peaked. This was followed by a little Ice Age, from about 1600 to 1850 during the time when solar activity dipped. On a longer time scale, the earth has experienced a series of ice ages over many, many hundreds and thousands of years.

"Another theory. The only important human effect in this warming is the increase in carbon dioxide. The fact is that carbon dioxide is a minor player in the greenhouse effect. Water from clouds and methane gas have a much bigger effect, thus reductions in cloud cover, from forest clearing and methane emissions from livestock could be having a much greater impact on climate than carbon dioxide.

"Another theory. Warming will cause catastrophic effects across the globe. Al Gore in his Oscar winning movie, An Inconvenient Truth, talks about sea level rises of 20 feet and massive increases in hurricanes due to global warming. In fact, actual scientists project sea level rises of just a few inches and have doubts whether global warming would have any significant effect on hurricane frequency or intensity.

"Another theory. There would be no positive effects from global warming. The fact is that the effects of warming would positive for some people or nations and negative for other people or nations. Most people prefer to live places warmer than the global average temperature. Four the most populated countries on earth are China, India, Indonesia and Brazil. A warmer earth might raise the maximum sustainable level of human population. It's absolutely clear that a sudden onset of another Ice Age would almost certainly result in a precipitous drop in human population.

"Mr. Speaker, I have pages of this, but it's so disappointing to see how the press just grabs on to a certain thing and just trumps it all the time, and the other side of the argument rarely gets heard. It really is like, you know, Chicken Little saying the sky is going to fall. We can hardly get a reasonable projection of what the weather will be two weeks from now and yet we're worried about what is going to happen in the next 200 years. I looked at some grafts, the parts per million of … "

Representative Finnegan rose to yield her time, and the Chair, "so ordered."

Representative Meyer continued, stating:

"… parts per million of CO_2 have not risen that much since before the Industrial Age.

"I'm going to insert all of my remarks in the Journal, but you know, this is one of these politically correct things. People who don't agree with all the hysteria are afraid to open their mouths because others will yell loudly that they are just absolutely nuts and can't they see that everybody agrees. Well, everybody doesn't agree. There are

thousands of scientists that don't agree. Many times we hear about consensus. Science is not decided by consensus. That's what we do in Neighborhood Board meetings and in the Legislature here, but science doesn't go along with consensus.

"So, I think that people are overreacting to this. I'm glad that we've turned this into more of a taskforce. The Department of Health was not in favor of having to take all these regulations and all these readings, but it'll come to that. This is just a giant snow ball that won't stop rolling. I hope I live long enough to see that there are a lot of people that were not quite 'on the money' with this. Thank you, Mr. Speaker."

Representative Meyer's written remarks are as follows:

"I am in support with reservations of SB1612 SD2 HD2. This bill has been toned down from the form it originally was received from the Senate, going from immediate government intervention to reduce greenhouse gases, to a study of whether to do so, which is why I am voting with reservations instead of in opposition. However, the underlying premise being advanced by the proponents of this measure is that massive government intervention is needed in Hawaii to prevent radical destabilization of the earth's climate via global warming caused by greenhouse gases emitted due to human causes. This premise is based on a series of underlying, though rarely stated, suppositions. If any of these suppositions turns out to be false, their argument for government intervention would have to be treated with extreme skepticism. These theories:

"1) Theory: The entire earth is getting warmer.

Fact: The global mean temperature appears to have risen about 0.6 degrees Celsius over the past 140 years, but much of the older data is suspect – for example, we didn't have any reliable temperatures for Antarctica until recently, even though that continent has an overwhelming share all the fresh water on earth. And, while the average temperature is up slightly, some areas have cooled – again, most of the interior of Antarctica appears to have cooled compared to when we first got reliable readings a few decades ago.

"2) Theory: The amount of further warming in the next few decades will be very large.

Fact: Scientists have projected a wide range of average mean global temperatures for the future, depending on the details of the computer climate model they use. The reality is that global climate is an extraordinarily complex subject that is not well understood, and thus these computer models are simply guesses. No one knows what is really going to happen with any degree of certainty.

"3) Theory: The warming is almost entirely due to human activities, not natural climate cycles or changes in solar radiation output.

Fact: The earth has undergone wide swings in temperature in the recent geological past, but before industrialization had any major impact on atmospheric carbon dioxide levels. For example, Europe appears to have reached roughly the same temperature that we have now during the Medieval Warm Period, from about 1000 to 1300 A.D., during a time when solar activity peaked. This was followed by the Little Ice Age, from about 1600 to 1850, during a time when solar activity dipped. On a longer time scale, the earth has experienced a series of ice ages lasting roughly 100,000 years each, followed by interglacial periods lasting roughly 10,000 years each. We have been in the current interglacial period for about 10,000 years. The peak temperatures during the previous interglacial period were higher than current temperatures.

"4) Theory: The only important human effect in this warming is the increase in carbon dioxide in the atmosphere.

Fact: Carbon dioxide is a minor player in the greenhouse effect. Water from clouds and methane has a much bigger effect. Thus, reductions in cloud cover from forest clearing, and methane emissions from livestock, could be having much greater impacts on climate than carbon dioxide emissions from industry. Further, heat islands created by cities paving over the landscape raises the average global temperature as well, as any barefooted person who steps from grass onto a parking lot on a hot day can attest to.

"5) Theory: The warming will cause catastrophic effects across the globe.

Fact: Al Gore, in his Oscar-winning movie An Inconvenient Truth, talks about sea level rises of 20 feet and massive increases in hurricanes due to global warming. In fact, actual scientists project sea level rises of just a few inches, and have doubts whether global warming would have any significant effect on hurricane frequency or intensity.

"6) Theory: There would be no positive effects from global warming.

Fact: The effects of warming would be positive for some people or nations, and negative for other people or nations. Most people prefer to live places warmer than the global average temperature -- four of the most populated countries on earth are China, India, Indonesia, and Brazil. A warmer earth might raise the maximum sustainable level of human population – the sudden onset of another ice age would almost certainly result in a precipitous drop in human population.

"7) Theory: Government-funded scientists have accurate climate models that, with a high degree of probability, correctly predict the future if atmospheric carbon dioxide levels continue to rise.

Fact: Climate models are just guesses that only roughly simulate an incredibly complex reality. These computer models can't, when run backward, generate the same results as shown in the historical record, including the Little Ice Age in Europe and the Medieval Warm Period. If they can't accurately predict the known past, how can they be relied on to predict an unknown future?

"8) Theory: Climate scientists aren't creatively interpreting data, suppressing the expression of doubts or contrary facts, or making alarmist or excessively simplistic statements that personally benefit their careers and funding.

Fact: A noted environmental biologist, Stephen Schneider, who is one of the scientists pushing for massive government intervention, wrote: "To reduce the risk of potentially disastrous climate change … we need to get some broadbased support, to capture the public's imagination. That, of course, entails getting loads of media coverage. So we have to offer up scary scenarios, make simplified, dramatic statements, and make little mention of any doubts we might have … Each of us has to decide what the right balance is between being effective and honest."

"9) Theory: Climate scientists don't make mistakes. The current consensus of opinion must be the truth.

Fact: As recently as the 1970's climate scientists made alarmist predictions that the exact opposite of global warming was likely to occur soon – a global Ice Age – with those alarmist statements personally benefiting them via increased government funding. Science isn't politics – getting more than 50% of the scientific "votes" for a theory doesn't make it correct. Einstein was initially a minority of one when he proposed his theories of relatively.

"10)Theory: The U.S., via federal and state governments, should massively intervene in the marketplace to attempt to reverse the rise in atmospheric carbon dioxide.

Fact: Government meddling in the marketplace has a long and checkered history of producing unintended consequences and failing to achieve the stated goals. The present net value cost of

complying with the Kyoto Protocol has been estimated as high as $2.5 trillion dollars, borne almost entirely by industrialized nations such as ours.

"11) Theory: Such government intervention on our part would not be counterbalanced by other nations.

Fact: Developing countries tend to be strongly focused on improving the standard of living of their citizens, and less so about worrying about the environment. Countries such as China or India, which are building new coal power plants at a record clip, would have a strong incentive to scoop up any losses of production caused by our restraint. The Kyoto Protocol was rejected by the U.S. Senate by a 95-0 vote, in part because these developing countries were not constrained by this treaty.

"12) Theory: Government intervention would significantly lower the levels of atmospheric carbon dioxide, and the benefits of would outweigh the massive costs to our economy.

Fact: Reducing atmospheric carbon dioxide levels to pre-industrial levels would require eliminating the fossil fuels that power our industrial economies, fuel our cars, provide our electricity, and enable the current level of food supply. Very few people in the U.S. would be happy about a massive population crash via starvation and a return to subsistence agriculture powered by horses and oxen.

"13)Theory: Such lower levels of atmospheric carbon dioxide would, with a high degree of probability, cause lower temperatures.

Fact: It is quite possible that climate scientists are simply wrong about the causes and/or cure for global warming, as they may have been wrong in the 1970's about the imminent Ice Age predicted.

14) Theory: There would be no unintended and unforeseen negative consequences of this government intervention.

Fact: Any seasoned politician knows, or should know, that government meddling in complex systems can go badly awry.

"So, does anyone reading this still believe that all 14 of these theories necessary to justify government intervention regarding global warming are all true? I sure don't."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support and I have to say after listening to the last speech, I think we must live on a different planet than the Representative from Laie. It reminds me of the arguments we still continue to hear sometimes about whether smoking causes cancer or not. When we hear about the debate, it's not the politicians that are having this debate. It's scientists that are having this debate. And there's been report, after report, after report from the scientific community around this planet at this point that is confirming that global warming is taking place. This is not coming from a bunch of crackpots, but from the top scientists in various countries, both developed and developing countries.

"And look at the type of organizations who have reached this conclusion. You have the United Nations that came out last week and they were concerned that the politicians actually, the bureaucrats as they called them, watered down the findings by the scientists working for the United Nations. You had the organization in Paris, the Intergovernmental Panel on Climate Change, not exactly a crackpot organization, that confirmed that global warming is taking place and demanding that the world act together to address this problem. You have the United States Supreme Court that came down recently in Massachusetts v. the EPA saying that greenhouse gas emissions shall be regulated.

"This is not a political issue. This is an issue about the future of our world, our planet, and the world we are going to leave to our great grandchildren. And, yes, it's easy to just say let's not worry about it now, because none of us are going to be around to really suffer the drastic consequences, although I'd say the 40 days of rain in Manoa, Hurricane Iniki, the weird weather that we experienced around the world has something to do with it, but the real devastating impact will not affect any of us. But isn't it the bold position to be that we make a decision now for future generations because we do care, we do care and something needs to be done.

"Now, I do have some concerns with the bill in its current form where its focus is on scoping, but I think it's a first step and I'm hoping that after this scoping is done, that we will come back and regulate heavy and hard on greenhouse gas emissions. Yes, it will be costly, but doing nothing is costing a lot of money, too, and will cost much more in the future. So, we must step up to the plate, incur those costs and make the tough decisions and work together as states, as a country, and with the rest of the world to address this problem regardless of whether China or India step up now. I believe that with strong leadership shown by our country, they will also cooperate, but it requires everyone working together. Thank you very much, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"I rise with reservations. Mr. Speaker, the purpose of this bill is to look at the data, to monitor, to have a look-see at it. But I think when we second guess it, instead of going too far, I think we've probably in our rhetoric gone too far when as a tourist destination, probably one of the best in the world, say that Waikiki is going to go under water. I don't think that is the proper way of interpreting this particular bill.

"And I would remind the good gentleman who just spoke, as well as all of the other intellectuals in this place, that this body was subject, like the rest of the intellectuals of the world, to the Y2K phenomenon, where the best and the brightest of the world said when the year 2000 comes, unless we do this, that and the other thing, civilization as we know it is going to stop because these computers are going to lock. People are going to riot, and food and machinery and electricity and everything is going to go down. Those were the best and the brightest minds that we had in America. I happened to be traveling with USAID in many parts of the world and I asked what happened at Y2K. Even to the farthest part of the world, I could not get anyone to say anything happened at Y2K and they didn't do anything about it.

"My point is let the data be rational and used rationally, rather than with fear and rhetoric that particularly that Hawaii is going to go under and Waikiki is going to be no more. I think that's a misinterpretation of what otherwise we're trying to do with the bill here. Look at the data, let's monitor it, and let's be rational about the way that we speak about it. The gentleman spoke about India and China. Let us also be sober. With India and China and half of the world's population growing at the rate that they're growing, take India and China out of the equation and we are fooling ourselves that Hawaii is going to make a difference. This is a global issue and a federal issue where we can do our part in the State, but we shouldn't over-react. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. First, I'd like to request the words of the Majority Leader be incorporated in the Journal as my own. Secondly, I just wanted to address some other concerns or actually the opposition. I'm actually somewhat stunned, I guess, by some of the arguments that are used. When you take a look at the scientists, of course, a hundred percent of the scientists are not going to agree on everything because that's never going to be possible. But what we really have is an overwhelming consensus by most of the scientists. As was already stated the Intergovernmental Panel on Climate

Change recently came out and said, "'Warming of the climate system is unequivocal.' The most observed increase in globally average temperature since the mid-20th century is very likely, at least 90%, due to the observed increase in anthropologic greenhouse gas concentrations. And there's better scientific consensus on this than there is on any other issue I know, except for maybe Newton's second law of dynamics. That, to me, shows that overwhelmingly, science is behind this.

"I think some of the criticism is regarding: Why should we join on? We're such a small state. What are we going to do about it? Well, that's really missing the core issue. Already on the horizon, we have California and Washington. California, the fifth largest economy in our entire world, even though they're just a state, has agreed to do this and go on a plan towards cutbacks because they see the potential dangers. And what we really need is for other states to start joining in. Is the federal government going to take this on? I would say it's very doubtful.

"What we've seen from our current Administration is a resistant actually, to strengthening our Clean Air Act. Only because of the recent case as cited to by the Majority Leader, Massachusetts v. EPA is there the potential for EPA now to regulate greenhouse gases. But will that actually happen? That is the question that is very speculative and uncertain. We don't know if that's going to happen. If we have the petitioners as they requested for rule making by the EPA, then maybe we'll have that. But will we have that anytime soon? I would say that's probably unlikely. So, instead, this is something the states need to start taking up. This is something that we, especially in Hawaii, need to start realizing there will be a significant impact.

"I think counter to what the Representative from Hawaii Kai said, there is data by the UH Oceanographic Institute that shows that potentially Waikiki, with one meter of sea level rise, will be half under water. Waikiki will be gone. And that is not merely speculative, but that is something that they have researched and demonstrated through their own grafts and studies. So I don't think any of these things that we are relying upon is something just floating out there and sort of like this Chicken Little. What we are doing is taking a grasp on our own destiny and realizing that if we are going to care about our State and our world for the future, then we need to start doing something about it now before it becomes irreversible. Thank you."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of this measure. Mr. Speaker, I never thought I would be congratulating Hawaiian Electric on the Floor of the House of Representatives. Usually I'm challenging them for their lack of leadership. However, this time it's different. In the latest PBN, there is an article talking about the CEO of HECO, Michael May, and how he clearly understands the impact of climate change and the responsibility of large corporations like his to change their procedure, to change their way of doing business. Because of this, he and the Board of Directors have come out with a much more responsible policy statement of Hawaiian Electric.

"My hope is that the next step is that they will adopt some of the more powerful renewable energy systems, such as wave energy, and they're already are in talks with some of those WEC companies. By WEC, I mean Wave Energy Converter companies. When it's reaching the boardroom of one of our largest companies in Hawaii and reaching the boardroom based upon the science that they have available to it, you know that we are facing a serious situation and you know that those companies won't change their way of doing business unless there is a significant, significant reason for doing so.

"So, I do congratulate Michael May for getting it and understanding that we have climate change, and the impact upon Hawaii will be devastating. We can have the choice and the chance to be one of the leaders nationally, and also be an international leader in this field. My only concern about the measure is that it's going too slowly, and I would hope that once this passes and gets implemented, that next year we really beef up what we're going to be doing. Thank you."

Representative Morita rose in support of the measure and asked that her written remarks and the remarks of Representatives B. Oshiro, Caldwell and Thielen be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Morita's written remarks are as follows:

"Mr. Speaker, in October 2001 I was invited to give a presentation before the California Hydrogen Business Council in Sacramento. I opened my talk with the following statement:

> In May 1999 I finished my first term as Chair of the House Committee on Energy and Environmental Protection feeling defeated. Saving environmental programs in a down economy was not a priority in the State's budget. And, my only major bill that survived the Legislature was vetoed by the Governor. Dejected, I felt my Committee had no purpose. Things changed, however, on September 30, 1999, when I read an editorial in the *Honolulu Advertise*r entitled, "Catastrophe is just right around our corner." It was my wake up call.
>
> The article commented on three reports released by the United Nations Environmental Program. The reports found that:
>
> • Scientists said global warming will cause severe hurricanes. And, a rise in sea levels could engulf thousands of oceanside communities.
>
> • Tourism run amok is not a long-term economic lifeline for small island nations. Rather, it actually threatens the island's environment if it generates too much solid waste, destroys environmental attractions or depletes natural resources.
>
> Prior to this, I never identified the events I experienced personally as a pattern typical of other island nations. I live in Hanalei Valley on the island of Kauai . . . I have been through two hurricanes within a ten-year period, Hurricane Iwa in 1982 and Hurricane Iniki in 1992. Hurricane Iniki destroyed my family's home. Our homeowner's insurance policy allowed my family the resources to rebuild and furnish a new home, but it came with a sizable increase in premiums and high risk factor.
>
> In 1995, I watched three one-hundred year floods in a ninety-day period from my back porch. The first flood broke the banks of the Hanalei River and created a cut-off, which now flows through my backyard. Although I now have waterfront property, my flood insurance premiums are substantial although my home is built over 50 feet above sea level. The second flood caused me to abandon my car as a flash flood came across the road and stalled the car while driving home. That incident cost my insurance carrier over $7,000 to repair the car.
>
> I live in one of the major river valleys of Kauai, carved by rain water from Mount Waialeale, the wettest spot on earth averaging over 400 inches of rainfall per year. Several months ago, my husband actually had to get out the hose and sprinkler to water the lawn. I no longer suggest to people the best time of the year to visit because I just don't know when the rainy or dry seasons are any more . . . An environmental and economic disaster is staring not only small island nations but also the State of Hawaii in the face.

"In March 2003, the Antigua-Barbuda Ambassador to the United States, Lionel Hurst said "The most populous and wealthiest of the world face a moral challenge greater than colonialism or slavery. They are failing in that challenge. Men have lost reason in the fossil

fuel economy. . . Inhabitants of small islands have not agreed [to be] sacrificial lambs on the altar of the wealth of the rich."

"As an island state, we have the opportunity before us in this measure to demonstrate our leadership and political will to the rest of the country and other island nations do our part in addressing global climate change issues. We in Hawaii have more in common with the countrymen of Ambassador Hurst then we do with the rest of the country and multi-national oil corporations especially based on the UN reports that spurred the Advertiser editorial in September 1999.

"However, it is unfortunate that eight years later and despite the headlines over the latest assessment of the second working group of the Intergovernmental Panel on Climate Change, which was charged with tracking the impact of global warming on specific regions and species, that the House Minority Leader, the Representative from Laie, still argues that there is no scientific evidence to support the notion of global climate change. I am almost certain that much of the rhetoric from the House Minority Leader can be traced to a disinformation campaign which has its origins from pseudo think tanks and their experts funded by the petroleum industry, mainly Exxon-Mobil. I would like to submit into the Journal a news item from ABC News regarding the amount of money spent by Exxon-Mobil to spread disinformation.

Senators to Exxon: Stop the Denial Democrat and Republican Say Stop Funding Global Warming Doubters
By Clayton Sandell, ABC News

WASHINGTON, Oct. 27, 2006 _ - ExxonMobil should stop funding groups that have been spreading the idea that global warming is a myth and trying to influence policy makers to adopt that view, two senators said today in a letter to the oil company.

In a letter today to ExxonMobil chairman and CEO Rex Tillerson, Sens. Olympia Snowe, R-Maine, and Jay Rockefeller, D-W.Va., appealed to Exxon's sense of corporate responsibility, asking the company to "come clean about its past denial activities."
The two senators called on ExxonMobil to "end any further financial assistance" to groups "whose public advocacy has contributed to the small, but unfortunately effective, climate change denial myth."

Phone calls to ExxonMobil were not immediately returned to ABC News. An upcoming study from the Union of Concerned Scientists reports that ExxonMobil funded 29 climate change denial groups in 2004 alone. Since 1990, the report says, the company has spent more than $19 million funding groups that promote their views through publications and Web sites that are not peer reviewed by the scientific community.

The senators singled out the Competitive Enterprise Institute, a Washington think tank, and the Tech Central Station Web site as beneficiaries of Exxon's efforts to sow doubt within the public about the scientific consensus behind global warming.

"We are convinced that ExxonMobil's longstanding support of a small cadre of global climate change skeptics, and those skeptics' access to and influence on government policy makers, have made it increasingly difficult for the United States to demonstrate the moral clarity it needs across all facets of its diplomacy," the letter said.

The letter says ExxonMobil's efforts to confuse haven't worked everywhere. "It has failed miserably in confusing, much less convincing, the legitimate scientific community," the senators wrote. The letter comes as dozens of major U.S. companies -- including WalMart, Citigroup, and GE -- are set to gather in New York next week for the Corporate Climate Response conference. The conference will provide a forum for companies to discuss their efforts to address global warming -- a topic getting increasing attention in boardrooms across America.

This week, investment bank Morgan Stanley announced it will invest $3 billion in carbon emission credits and other projects aimed at reducing greenhouse gas emissions over the next five years.

And last month, British mogul Richard Branson pledged $3 billion over 10 years -- profits from his airline and train companies -- to invest in energy sources that do not contribute to global warming.

"Mr. Speaker, climate change is a very serious environmental as well as a very important moral issue. Senate Bill 1612, Senate Draft 2, House Draft 2 helps to set Hawaii's course of action to do our part in this very challenging global issue. The quality of life for our children and our grandchildren and all future generations is at stake depend on our decisive actions today. Let us not let them down and step up to the plate to shoulder our responsibilities as policymakers."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just some slight reservations, and also I just wanted to remind the Majority Leader that Kahaluu is on this island, and on this planet."

Representative Meyer rose to respond, stating:

"Mr. Speaker, I just wanted to just go through a few other things that I have prepared for today's debate. The idea that scientists can't be wrong, they don't make mistakes. The current consensus opinion must be the truth. The fact is as recently as 1970, climate scientists made alarmist predictions that the exact opposite of global warming was likely to occur soon, the global Ice Age, with those alarmist statements personally benefiting them by increased government funding.

"Science isn't politics. Getting more than 50% of the scientific vote for a theory doesn't make it correct. The United States did not join the Kyoto Protocol and the reason partially was because India, China, some of the developing countries weren't going to take place, and the cost to developing countries was going to be well over $2.5 trillion. In fact, when this came up on the Floor not to join the Kyoto Protocol, the U.S. Senate by a vote of 95 to 0 voted not to join the Kyoto Protocol. And in recent articles, countries in Europe that did join the Kyoto Protocol to decrease their emissions of carbon dioxide, they aren't meeting their standards at all.

"There is a cost that's involved in this and government intervention can have all kinds of untoward consequences, so, I guess reasonable people can disagree. Thank you, Mr. Speaker."

Representative Waters rose, stating:

"Mr. Speaker, may I propose a floor amendment? No, I'm just kidding."

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I would like permission to insert this morning's article written by Christine Todd Whitman in the *Honolulu Advertiser* regarding the Supreme Court's decision on carbon dioxide emissions. Thank you."

Representative Lee's submitted the following article:

"COMMENTARY
Supreme Court ruling a welcome first step
By Christine Todd Whitman

Last week's Supreme Court decision concerning carbon dioxide emissions from cars was welcomed by all who regret that the United States has lagged far behind in addressing this serious environmental challenge.

The decision gives the Environmental Protection Agency two choices. It could develop, implement and enforce rules to regulate carbon dioxide emissions as a pollutant under the Clean Air Act. Or, it can seek to demonstrate, using science (real science, not political science) why carbon emissions do not contribute to climate change.

This ruling should herald the beginning of a carbon-constrained U.S. economy. For a moment last Tuesday I thought President Bush might agree. When he said that "whatever we do must be in concert with what happens internationally," I thought the administration might adopt a position on carbon emissions that would bring us closer to the regulation efforts being made by the rest of the developed world.

Then the president continued, "Unless there is an accord with China, China will produce greenhouse gases that will offset anything we do in a brief period of time." True, China will outpace our emissions level, but there was a time when the United States led the world in environmental protection. I hope we are not following China when it comes to environmental policy-making.

Of course, the president is right that we must find a way to reduce our carbon emissions without cutting back on economic prosperity. However, environmental protection and economic prosperity are not mutually exclusive. Over the past 10 years, for example, United Technologies, on whose board I serve, has reduced its absolute energy use by 19 percent while its revenue has grown more than 80 percent.

For guidance on which to base a policy, we can look to the results from the last time the Clean Air Act was amended, in 1990. Those amendments required substantial reductions in the emissions of sulfur dioxide (SO2), the primary component of acid rain. There was broad agreement that acid rain was seriously damaging our environment. There was less unanimity about the method to be used to achieve the reduction in emissions — a market-based cap-and-trade system.

Controversial among environmentalists and businesses, the trading program had government-set standards for safe concentrations of SO2, a clear timetable for achievement and strict penalties for non-attainment. In a break from previous approaches, the government said it didn't care how businesses reached the goals, only that they do it on time.

In addition, if a company lowered its emissions below the required level, it could keep the difference for future development or sell the credits to others that hadn't met the standards. The government cared only that the air was cleaned to required levels. If profit motive spurred private-sector actions, fine.

Before I left the EPA, we checked how effective that program had been. The results were startling. Not only had there been nearly universal compliance across all emitters, the levels of SO2 in the atmosphere were lower than the regulation had required, and the feat had been achieved in about half the time called for at much lower cost than anticipated.

This program was a success because there was a national standard set by the government, certainty on timelines and penalties, and flexibility in how the targets were achieved. While voluntary programs are good, they are not good enough, and we need national caps on greenhouse gases.

In January, the leaders of 10 of America's largest energy, manufacturing and financial services companies — including Duke Power, DuPont and Lehman Brothers — held a news conference with leaders of several environmental groups. They called for government-required action to reduce greenhouse gas emissions, using a market-based system similar to that employed in fighting acid rain. Their call has increasingly been echoed.

Back when he was governor of Texas, President Bush enacted mandatory caps on carbon emissions in his state. During the 2000 presidential campaign, he promised to regulate carbon emissions nationwide. Shortly after taking office, though, he backed away from that pledge. There were good domestic reasons at the time, but those reasons are no longer valid.

Neither the American people nor the rest of the world want this debate to be delayed until the 2008 elections. The temptation to preserve the issue will be great but must be resisted.

Over the past several years, calls for mandatory caps on carbon emissions — from environmentalists, scientists, business leaders, evangelical Christians — have grown. Now the Supreme Court has joined in. Delay is no longer an option. The president and Congress must act.

Christine Todd Whitman was administrator of the Environmental Protection Agency from 2001 to 2003. She wrote this commentary for the Washington Post."

The Honolulu Advertiser
Tuesday, April 10, 2007

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker. In support and with reservations. Quickly to rebut some of the comments that were made by earlier speakers. One of the reasons nothing happened with the Y2K is because billions, and billions, and billions of dollars were spent fixing the problem. And if we would spend the billions, and billions on global warming the way we had spent of Y2K, maybe we'd be solving this.

"With regards to the comments from the Representative from Laie, the conservative thing to do in this instance is to take the rational concerns of scientists seriously and start to take action while we have time. On most issues I don't consider myself conservative, but in this case I think I am conservative. If you see potential danger coming, you do what you can about it before every single fact is in. Thank you very much."

Representative Ward rose to respond, stating:

"Mr. Speaker. One retort deserves another. The whole point of mentioning that I went to numerous countries and read numerous articles, those who spent billions and those who spent bonkers, zero, nothing happened. It was the intellectual proposition of the possibility that a lot of people made a lot of money, including lawyers and computer companies, etc. But Y2K was not even a pimple. It was a 'blurp', which suddenly nothing happened. And my point is that those of us, particularly those of us who consider ourselves educated in the position and the community, we have an intellectual vulnerability because we understand how to intellectualize fear in how to burrow down and drill down into it. And that's what Y2K syndrome is. You burrow down into it and then suddenly all of the ghosts of fear come and then that's the driver.

"What I'm saying is, let's look at the policies, let's look at the data, let's be rational about it. And those countries that did not put money into it didn't suffer anything. And that's on the record. And suddenly all of the intellectual articles about Y2K and the sudden doom and gloom, they all disappeared. No one still to this day, doesn't talk about because they knew they made a mistake and that's what we don't want to do again. Let's do it irrationally. Let's do it scientifically. But let's let the data talk and not spin it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1612, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Green, Souki and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1936) recommending that S.B. No. 11, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 11, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. This measure as it moved into the Finance Committee began as an exemption of medical services, hospital charges and rehabilitation services from the county surcharge on State tax that would have provided relief for a broad range of Hawaii residents struggling to pay the high cost of living. My opposition, Mr. Speaker, is that it now is an exemption from the general excise tax for any private hospital. This type of legislation, I think, is, while it may be worthy when we look at the expenses that we have to pay for our public hospitals, may not be a prudent course to go. Thank you, Mr. Speaker."

Representative Ching rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. I'd like to ask permission to be reclused from this vote. My husband works for Hawaii Medical Center in Liliha and is an investor in that hospital," and the Chair ruled, "You are excused."

Representative Pine rose to speak in support of the measure, stating:

"I just want to speak in strong support of this measure. I've been a long supporter of the fact that we should not tax people when they're sick or dying. And while this measure doesn't help every single hospital on this island and the people that they serve in our community, it does help those people that are the most underserved in our community. And so I think this is a good beginning for what we could do in the future for all hospitals and healthcare in general by not taxing them."

Representative Marumoto rose to speak in support of the measure, stating:

"I speak in favor of this measure, Mr. Speaker. I would hope that private hospitals would be exempt from the general excise tax, but I feel that this measure is defined for one hospital in the Ewa area and if we pass this, I'm sure other hospitals, private hospitals would be in line for an exemption as well; Sraub Hospital and whatever other private hospitals we have in the State, including possible new ones on the island of Maui. So, I would hope that we might extend this to all hospitals just to lower their cost of healthcare to their patients. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Given the health crisis that we have, the hospital crisis, the reimbursement crisis, we need to give our hospitals a break. Just on the news last night, for example, I saw that Wahiawa Hospital no longer will deliver babies after next month. It's like because of the difficulty the hospitals are experiencing, there's a real crisis going on and this is one way of getting one hospital out of it, at least in the short term, for otherwise as maybe later on with the HHSC bill that we're going to have an amendment for, it might be for the long term. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 11, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX ON HEALTH CARE," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Belatti and Rhoads voting no, and with Representatives Bertram, Ching, Green, Souki and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1938) recommending that S.B. No. 679, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 679, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Stand. Com. Rep. No. 1938. Basically, this bill proposes to establish a new office under the Department of Accounting and General Services, DAGS, Office of the Director of Disaster Preparedness. The proposed bill creates a new Office of Disaster Preparedness that only addresses natural hazards and develops policies, plans and best responses when these hazards result in disasters. This narrow concept of preparedness omits terrorism for many State and county responsibilities for homeland security and ignores preparedness planning responsibilities for man-made hazards, including avian flu and pandemic influenza.

"According to the bill, the new Director of Preparedness is expected to develop a comprehensive disaster preparedness and response plan for the State, but is not responsible for the implementation of the plan. We must assume, therefore, that the responsibility for disaster response will continue to remain with the State Department of Defense.

"Prior to Hurricane Katrina, the U.S. Department of Homeland Security removed preparedness programs from FEMA and placed these under a new Office of Preparedness. In 2006, these programs were returned to FEMA because the federal government learned that the responsibilities for preparedness and response should not be bifurcated. For the proposed bill, the new Office of the Director of Preparedness duplicates the responsibility and authorities of certain federal, State and county agencies, i.e., the flood insurance rate maps, lava flow hazard zones, dam safety, port security, land use policies, etc.

"The proposed bill also establishes a Disaster Preparedness Commission consisting of eight members who are appointed by various officials: the Governor, the Speaker of the House, the President of the Senate, the four Mayors, etc. This is supposed to be comprised of various subject matter experts who are who are to advise and assist the Director of Preparedness. The Commission is charged to work with the various government agencies to develop plans and capabilities.

"According to the bill, Commission members may perform their tasks either as volunteers or by hiring employees to do their work. In other words, the Commission could take on the structure of another government agency but in all likelihood be under-resourced, but more importantly, lack the authority and credibility to perform its duties across the spectrum of government while duplicating those functions being performed by other State and county government agencies.

"We actually should not be advancing this bill forward. The proposed bill is very narrow in scope and departs from national preparedness goals and State plans that focus on all hazard approaches to preparedness. The proposed bill creates a new office in government that is charged with a host of responsibilities without the resources and authorities to meet these expectations in the near term. And if passed, the proposed bill would cause a major shift in agency responsibilities and jeopardize federal funds that State and county government agencies receive for preparedness, homeland security programs, hazard mitigation projects and disaster response

and recovery programs. And, Mr. Speaker, this is the reason why I am voting no. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, there is little doubt in our mind that Civil Defense does a good job responding to a natural disaster and we see that in any number of occasions. But where there's great failure on the State level is preparing for disasters and we see that over and over again. Many of the disasters that we've faced are because we built subdivisions below lava flows, or we build too close to a stream or too close to a cliff, or we put homes too close to the ocean. When hurricanes come in, you have tidal surges. And what we're trying to do is to address that situation by being prepared, by making sure that going forward, we're not going to continue to repeat the mistakes that we've been repeating since Captain Cook, basically, came to Hawaii.

"The Native Hawaiians knew how to handle Mother Nature. The rest of us think we can conquer it, and so we ignore, many times dangers. And, as a result, we put both human life and property with great expense. So just look at the little flood in Manoa that happened almost four years ago. We spent almost a hundred million dollars fixing up the University of Hawaii. Let's not have a repeat of that. If this bill is allowed to survive and becomes law, I think we'll begin to address some of these problems that we continue to repeat, and, therefore, it's good planning, it's good for public safety, it's good for fiscal management, and I encourage everyone to support it. Thank you."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you. Mr. Speaker, I'm rising in support of the measure. Mr. Speaker, I have the privilege of serving on the Consumer Protection and Commerce Committee and the Chair of the Committee was rightfully concerned about the needs for Hawaii to be prepared, not to react to disasters, but to be prepared in advance. He scheduled Neighbor Island field trips. I attended the Big Island one and I sat through numerous hearings listening to some testimonies saying, 'Well, we can handle it the way we've done in the past.' I don't agree with those that say we can handle it the way we did in the past.

"I think that the Chair of CPC shows great vision and I'm very supportive of the work that he's done. I believe that this bill will set us on the road to being prepared in advance, not just reacting. The teams that react do an admirable job, but we need the team that is out there in front preparing, so that the need to react will be lessened. The sole focus of the bill is to develop and implement a comprehensive disaster preparedness plan for the State of Hawaii, and, frankly, I would think that everyone in this Chamber would agree that that is a very sound and good thing to do. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with some concerns and reservations. I wholeheartedly agree with the Representative from Kailua that we must plan, we must. And after recent events we know that we want to. However, I'd also like to incorporate the words of our Minority Leader and note that in the Committee Report, the Department of Defense, the Department of Public Safety, the Department of Accounting and General Services, Department of Transportation, Department of Defense, Department of Emergency Management of the City and County, Mayor of Hawaii County, Kauai Civil Defense, Hawaii Lumber Products Association, concerned individuals, all are listed here as people who oppose. So, I'd just would like to see this really, perhaps, be improved soon in the next step. Thank you."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. First, Mr. Speaker, I ask that the comments and words of the Majority Leader be entered into the Journal as my own. Secondly, very briefly, Mr. Speaker, I think there's somewhat of a misconception in this measure because the fact of the matter is on October 15, 2006, this State was not prepared to handle the earthquake. We see a lot of moving parts out there and to all the credit that we give to the first responders. They absolutely did a good job, but there was a breakdown in communication. Many of our constituents across the State did not know what was happening.

"As I tried to explain to the Director of Civil Defense, we are not in any way trying to duplicate efforts. We are simply trying to put together an umbrella organization that will collect all the information that all the respective agencies have collected to date so that we don't have a breakdown in communication for the future. It's not just about our constituents. We have many disabled who did not know what was going on that day. It is clear that this State is not prepared, and that is what this measure is about. Therefore, I respectfully ask that my colleagues vote in support of this measure. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. First, could I have the words of the speaker, the Representative from Kailua entered into the Journal as if they were my own? Secondly, just some brief comments. You know, the speaker from Kapolei really hit on a good point. We were not prepared. I mean, we had Civil Defense come out to Lahaina to give a briefing to the community. And guess what they told the community? You're on your own. We have no preparations. We won't be there to help you. You're on your own to develop your own plans. You're on your own.

"This State has really let people down. We have all these efforts going on across all these agencies, and yet we have nothing to bring them in the focus and implement them. Civil Defense does a great job, but let's remember the history of Civil Defense. What was it for? To respond to nuclear attack. That was the main reason Civil Defense came about. It's a response agency. They do a good job responding, but we need to focus our efforts in preparedness. And because we have all these scientific advisory committees and all these county groups and efforts, there's nothing to make sure that they're being brought in, they're being implemented and their being actually put into place.

"So, I think we have an opportunity. And, again, this isn't a war on Civil Defense. This isn't a turf battle. We're not trying to take anything away from the organization. All we're trying to do is to make sure that all these efforts that have been basically fragmented and never followed through on are concrete and followed through, so that the next time that my community and everybody else's community knows we are prepared. Thank you very much."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. You know, I do hear the concerns raised by the proponents of this proposal on H.D. 2. However, Mr. Speaker, I believe the way to solve this problem, if the problem does exist as they say, is to work with the powers that be right now, and improve on the process. If you take a look at the Standing Committee Report, you will notice that a significant number of departments and offices and officials in the umbrella of Civil Defense did not support this particular measure. And I'm concerned about that. The Department of Defense, the Department of Public Safety, the Department of Accounting and General Services, the Department of Transportation, the Department of Emergency Management of the City and County of Honolulu, the

Mayor of the County of Hawaii, Hawaii Civil Defense Agency, and a few others.

"I think, Mr. Speaker, if we are going to be prepared for the next disaster, either man-made or natural, it's incumbent upon us to work with these people and put together a plan. I say we work with our State Civil Defense, push them if we need to, urge them, require them, but don't dismantle them. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I think I need to make sure the Members understand the genesis of this proposal. It didn't come out of thin air. The former Chair of PSM and I met with a group of 20 people a year and a half ago. That included five University of Hawaii professors with expertise in geology and all of those issues that we're talking about. Mr. Texeira was at the meeting. We had representatives from the real estate industry in the State of Hawaii, representatives from the insurance industry in the State of Hawaii, and the financial community. And the basis of the bill came from that group of people, and we've been working on it ever since.

"Now, when we got into Conference last year on this bill, those people were in support and advised me that if we could not get the Senate to understand that we have a problem, to walk away. And that's what we did.

"So, let's talk about disaster preparedness as opposed to responding. Now, let's first talk about the national level. I have been to many meetings of the National Coalition of Insurance Legislators, people like us that deal with insurance and disaster issues. It's a bipartisan organization. They are very critical of what they call the 'Air Force One' solution to national disasters where the President flies out to New Orleans, opens the door up, and pushes out a billion dollars and says everything's okay. That was one thing.

"We were told that Homeland Security, that Civil Defense is responsible, Homeland Security and they are responsible for disaster preparedness. Well, that's not what Congressman Abercrombie's office says. He said it's the State's responsibility to be prepared. Not Homeland Security. And he said, quite frankly, we can't get a straight answer out of Homeland Security.

"So, let's talk about the difference between responding and being prepared. Let's just use the high rise buildings in Waikiki, for example. We should have learned from Iniki. Glass was flying all over New Orleans because of that storm. If we had a major hurricane come through Hawaii and hit Waikiki, we'd have glass flying all over the place. To be prepared is to give the appropriate tax credits to harden all of those structures so we don't have that problem. And that's the sort of thing that we want this Disaster Preparedness Commission to deal with.

"As far as the City and County of Honolulu objecting to the bill. I had two EMS people come in to see me to say, 'We were completely unprepared. On October 15 we had no idea what we were supposed to do.' And I said, 'You're the first responders.' They said, 'Yeah. We had no idea what our job was on October 15.' Not only that, they said they don't even have enough money to operate. The ambulances have over 200,000 miles on. Okay, so we're taking care of these problems. We got a bill to get new ambulances. We got a bill on dam safety. We got another bill on trying to take care of hospitals. We're all over the place. DLNR wants to deal with the dams. The Department of Agriculture wants to deal with the dams, but they're not all talking to each other. No one is in charge and no one has brought it together.

"So, let's talk about the basic difference between preparedness and reaction. And all I hear from Civil Defense, the Department of Defense, all these agencies, is we are prepared to respond. As a matter of fact, at the Finance hearing, the Director of Civil Defense says they cannot prepare for disaster. That's the definition of a disaster. What? This is coming from the Director of Civil Defense? Let me just give you the Kaloko Dam instance. It's a classic difference between being prepared and being prepared to respond. Being prepared to respond is going out and picking up the bodies of those people that drowned because of the Kaloko Dam disaster. Being prepared would have examined the structure integrity of that dam to make sure that it was secure. And then the land use policy that did not put people at risk below that dam so there weren't any dead bodies to pick up. That's if we had been prepared.

"The UH professors were very strong in saying that we need to develop natural disaster zones so we know what natural disaster may impact us, and we have every single one in this State. I have them all in my district. And then we adapt billing codes that deal with those disasters, to harden those structures that might be impacted by those disasters. And then land use planning that doesn't put people at risk. Hamakua Coast …"

Representative Say rose to yield his time, and the Chair, "so ordered."

Representative Herkes continued, stating:

"In my history here, nobody's ever had to do that. Hamakua Coast. We had somebody walk away from a home worth $600,000 to $700,000. We shouldn't be putting people at risk. One of the professors said to me, 'You know, your district's moving'. I said, 'Where am I going?' She says, 'You're moving south'. And I said, 'How fast?' She said, 'The speed that your fingernails grow.' That's not very slow. We have a great risk in Ka'u, but we have people who want to develop Ka'u. We have people who want to build a resort development down in Pahoi Bay, where there's lava zones 1 and 2, where there's earthquakes, where there's possible tsunamis. You know, we have to stop thinking about reacting and we have to start thinking about being prepared, and that's what this bill does and that's what I think our job is. If we're not concerned about the safety of our people, then we have no business being here."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I stand in opposition, but I would like to clarify some points. You know, I'm not against the whole Office of Preparedness, but I am taking a look at what has happened thus far, and on the national level how we can maybe learn from that situation. As I mentioned earlier, prior to Hurricane Katrina, which is probably one of the biggest disasters that we've had in a very long time, the U.S. Department of Homeland Security removed preparedness programs from FEMA and then placed these under a new Office of Preparedness.

"And then, in 2006, just last year, these programs were returned to FEMA because the federal government learned that the responsibilities for preparedness and response should not be bifurcated. So, all we're basically saying here is if you want to accomplish the Office of Preparedness, why are you going to put it under DAGS? You can still, with the authority of the Civil Defense or State Department of Defense still be able to do something like that. But when we basically say we're not going to learn from these experiences, we try to keep it together so you can try to coordinate, but also plan for these disasters. That's all I'm saying is that if you take something like this, on the federal level they decided to go, hey, that's the wrong turn to make. Instead of taking it out, we're going to put it back in because as much as they're different, they're related. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 679, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," passed Third Reading by a vote of 37 ayes to 10 noes, with Representatives Awana, Berg, Finnegan, Hanohano, Meyer, Morita, Pine, Takai, Takamine and Takumi voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

At 3:17 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1920, SD 2, HD 2
S.B. No. 1823, SD 1, HD 2
S.B. No. 603, SD 2, HD 2
S.B. No. 1612, SD 2, HD 2
S.B. No. 11, SD 3, HD 2
S.B. No. 679, SD 2, HD 2

At 3:17 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:40 o'clock p.m., with the Speaker presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1939) recommending that S.B. No. 1718, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1718, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chang rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose to speak in support of the measure with reservations, stating:

"I want to speak with reservations because I don't understand all the reservations, except we are the ones that want to become independent from importing oil. We are the ones who want to be more self-sufficient. We want to be prepared for disasters. We want to be able to handle them. And this one is a bit of an astounding one because it's HECO, who my colleague praises as a very responsible company that has a joint venture put together with special purpose revenue bonds, which by the way costs us nothing, to try to see if we can use some of the empty land to put biofuels together.

"Sixty percent of all of our pineapple and sugar lands are empty. They're growing weeds. And this looks like something that should be given an opportunity. I know in all the committees that I've followed this year, it's been getting a lot of flack. I'm a bit confused by it. And, Mr. Speaker, I would also add a footnote for oil palm because I know oil palm has been kind of a poison pill here. So I put a footnote in oil palm in that oil palm has saved hundreds of thousands, if not millions of people's lives. And why I say that, because I know it, because I lived it, because I was in North Borneo as a Peace Corps volunteer working within the context of the government to plant oil palms so the people, the ex-head hunters that I lived with didn't starve. That oil palm has been planted all over Malaysia and Indonesia to the point of where some fear the rain forests are going to be gone, of which those who are the Europeans and the Americans are crying the loudest, have cut their forest down. And I know I'm getting a little off the bill, but my point is if oil palm is the reason, we have from BlueEarth themselves, they said they will not use oil palm.

"So, if they are going to have a chance to boost Maui farmers with growing grains, which can either be pressed or burned, I don't see why taking, and at a no-cost proposition to us, why we don't allow them to risk their own capital and their own ability to do stuff that's innovative and creative and entrepreneurial which we have spoken earlier about is going to be the future of Hawaii. Because if it's business as usual, we're not going to go anywhere or do anything. So, Mr. Speaker, with the reservations is a bit of confusion as to why we don't' give this company a chance. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise to speak against the bill and to correct something that my colleague from Hawaii Kai said. I do not feel that HECO is a responsible, wonderful corporation at this point. What I did say was I was very pleased to see Michael May come out saying that HECO needs to be more environmentally sensitive and to change their policies. We have yet to see whether those are empty words or whether they will really live up to that. If they were really going to be responsible, they would withdraw their application to build another power plant on Oahu. They haven't done that.

"I'm against the underlying bill, Mr. Speaker. There are way too many questions about this bill that have not been answered. I don't feel we should move ahead with this SPRB for them, and I'm also concerned about actually, bio-diesel and it's impact upon agricultural lands in Hawaii. I don't know if that is really the best way for us to go. Until that is proven to me, I will oppose this measure. Thank you."

Representative Chang rose, stating:

"Mr. Speaker, I'd like to withdraw my vote with reservations. I am in strong support now."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Much of the opposition to this measure is focused on the type of fuel crop, imported palm oil, in particular, which opponents believe this company may use to produce bio-diesel. I believe both the proponents and opponents of this measure understand the need for environmental sustainable practices in the cultivation of fuel crops, that the energy input in the cultivation of these types of crops and its production into a biofuel and its distribution require a cost benefit analysis and the promotion of a fuel crop should not jeopardize the growing of food crops, which I understand to be equally as important in addressing food security issues.

"However, this type of discussion may be more productive and reiterates a necessity of the development of policy within a bio-energy master plan for the State of Hawaii within the context of larger agricultural, energy, and environmental issues. Such a plan is one of the initiatives outlined in H.B. 1003, H.D. 3, which is moving through the Senate. There appears to be a lack of understanding in the process of how special purpose revenue bonds are issued and the amount of due diligence that must be performed prior to the issuance of special purpose revenue bonds, and that such bonds are not the general obligation of the State. There's no doubt that much of the opposition to this particular project was generated through environmental groups. Like many of you, I value the opinions of these organizations, however, in this case the opponent seems determined to end all discussion on biofuels that do not support their particular agenda or viewpoint or the perfect biofuel model.

"As we try to develop biofuels as an alternative, I understand the vision of developing an environmentally sustainable biofuel industry. But I am also pragmatic enough to know all the challenges we face to move in that direction. There's a larger planning issue at stake and I hope it's addressed in the biofuel master plan as that moves forward.

We have to have the right policies to drive our State-funded resources and decisions. However, other interested parties and private investment are not going to wait until the State gets its act together. The interest in biofuel, and bio-diesel, in particular, is market driven. Hawaiian Electric Company has made a commitment to transition all of its diesel burning generators to bio-diesel in the hopes of spurring local agricultural interest in the cultivating of fuel crops.

"HECO has publicly announced its preference for local crops, but with that not possible right now, is working with the Natural Resource Defense Council on strategies and how to identify and buy green tagged fuel crops. The State cannot mandate the purchase of green tagged crops because of the federal commerce clause, but HECO can. The fuel demands for HECO probably will not be met by a small company that's in business right now. Pacific Bio-Diesel with waste oil alone as a feed stock. The HECO contract has to be guaranteed by its supplier so as not to jeopardize its electricity customers.

"The real question is: Should HECO continue to rely on diesel from its current suppliers like Chevron and Tesoro or try to seek other alternatives? The bulk of Hawaii's oil now comes from the Middle East. We have a real opportunity to shift that, and shift diesel coming from the Middle East to the possibility of producing our own bio-diesel crop and bio-diesel fuel within Hawaii. This bill is the start of preliminary discussions about moving in this direction, so I think we should support this bill. Thank you."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Morita be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1718, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Awana, Berg, Finnegan, Hanohano, Meyer, Pine and Thielen voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1940) recommending that S.B. No. 1060, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1060, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Third Reading by a vote of 26 ayes to 21 noes, with Representatives Belatti, Berg, Ching, Finnegan, Hanohano, Har, Herkes, Marumoto, McKelvey, Meyer, Morita, Nishimoto, Pine, Shimabukuro, Takai, Takamine, Takumi, Thielen, Wakai, Ward and Yamane voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

At 3:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1718, HD 2
S.B. No. 1060, SD 1, HD 2

The Chair then announced:

"Members of the House, if you look on page 20, on the Committee on Consumer Protection and Commerce, Standing Committee Report No. 1941, S.B. 1004, S.D. 2, H.D. 2 deferred one legislative day.

"Also, Members of the House, on section 6b of the Order of the Day, Third Reading, the Committee on Judiciary, S.B. 1665, H.D. 1 deferred one legislative day for Thursday. So we will be taking these up on Thursday."

Stand. Com. Rep. No. 1941, and S.B. No. 1004, SD 2, HD 2:

By unanimous consent, Stand. Com. Rep. No. 1941, and S.B. No. 1004, SD 2, HD 2, were deferred one legislative day.

THIRD READING

S.B. No. 1665, HD 1:

By unanimous consent, S.B. No. 1665, HD 1, was deferred one legislative day.

S.B. No. 1092:

Representative Caldwell moved that S.B. No. 1092, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I do have some reservations on this bill and I'd like to explain why. Earlier on in the calendar, earlier on in the day, we had another repair and maintenance bill that we were going to be appropriating more money for fixing our schools. And I think for the most part we can all agree that we'd like to put money in to fix our schools. I guess, my reservations on this is it's my understanding that this process has improved tremendously. But the lapsing of money is a built-in mechanism for accountability to ensure that projects get done in a timely manner.

"I'm not going to vote no because you think about the kids and wanting to make sure that the repairs are made, but I would like the ability to just say that there is some lack of accountability if we just tend to want to give extensions to the lapse of money.

"The other part that I'd like to just speak about is in regards to the process of priority on what gets done. There's been tremendous improvement now that the Administration and the DOE have come up with a Memorandum of Understanding where the Governor basically will release funds according to the priority or in lump sum, but I think what needs to be improved upon is just how the DOE comes up with these priority lists. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 1092, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Green, Souki and Tokioka being excused.

S.B. No. 620, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 620, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"A potential conflict of interest. I'm a graduate of Hawaii Preparatory Academy," and the Chair ruled, "no conflict."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a potential conflict also. I am a graduate, a very old graduate and my wife's on the Board," and the Chair ruled, "no conflict."

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a potential conflict. My son was a very young graduate of HPA," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and S.B. No. 620, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Green, Souki and Tokioka being excused.

S.B. No. 1402, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1402, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Berg voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

S.B. No. 1133, SD 3, HD 1:

Representative Caldwell moved that S.B. No. 1133, SD 3, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to the measure, stating:

"I'm sorry. I'm going to be voting no on Stand. Com. Rep. No. 1811, and I just wanted short comments. Basically, the Department of Transportation had mentioned how they really need this because of the depletion of the Highway Fund. From my understanding, there's a history of the promise to not make this $1 increase permanent. So, I'd just like to say that one, we should follow through with our promises

"But in regards to the many years that we did raid the Highway Fund, and we also did not have the federal funds to match that. The total raiding was about $145 million, and we did lose all that federal funds. So I don't think that we should go back on our promise after doing something like that."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in support with reservations on SB 1133, SD3, HD1. This bill would keep the rental motor surcharge tax at three dollars a day by eliminating a provision in the existing statute that would have reduced the surcharge to two dollars per day after 8-31-2007. This particular tax would be mostly levied upon non-residents, and it would go toward badly needed highway maintenance. Since non-resident motorists in rental vehicles do inflict wear and tear upon our highways, it is reasonable that they should pay their fair share toward maintaining those roads."

The motion was put to vote by the Chair and carried, and S.B. No. 1133, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 39 ayes to 8 noes, with Representatives Berg, Brower, Finnegan, Herkes, Pine, Thielen, Wakai and Ward voting no, and with Representatives Bertram, Green, Souki and Tokioka being excused.

At 3:59 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1092
S.B. No. 620, SD 1, HD 1
S.B. No. 1402, SD 1, HD 1
S.B. No. 1133, SD 3, HD 1

At 3:59 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:00 o'clock p.m.

At this time, the Chair announced:

"Members, earlier this morning I stated for the record that at this time we have eight floor amendments that had been proposed by both sides. I would recommend that we break from 4:00 until 5:30. That will give each Caucus at least ten minutes on each of these floor amendments for discussion purposes. So, we will reconvene at this time at 5:30."

At 4:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:10 o'clock p.m.

The Chair then announced:

"Members at this time may we go back, we are now at the end of the calendar and we have eight supposedly measures before us that was discussed earlier this morning."

END OF CALENDAR
UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1820) recommending that S.B. No. 1803, SD 1, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1803, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

[Note: Floor Amendment No. 4 was received and subsequently withdrawn before being offered.]

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. Basically, this bill is designed to benefit one company. That in and of itself, is not the best policy, but however, there is language that we can change to still be able to get to the underlying reason for the bill. We can address in Conference Committee basically some language that the Insurance Commissioner can be allowed to exempt group health insurers from our anti-bundling laws if the Commissioner determines that the group health insurer does not have the capacity to adequately deliver services to its enrollees unless it bundles products.

"This basically tracks the HIPA language. We have to be mindful that there is one company that has already sold bundled products in violation of our anti-bundling laws, and the underlying bill, this bill, would absolve them from any of their wrongdoings. Mr. Speaker, we want to be able to address the issue because I believe that this a

product or a group of products that small business owners or sole proprietors would like to have, but I think that there's a better way to set policy. Thank you, Mr. Speaker."

At 6:13 o'clock p.m., Representative Herkes requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:13 o'clock p.m.

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1803, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Green, Souki, Thielen and Tokioka being excused.

At 6:14 o'clock p.m., the Chair noted that the S.B. No. 1803, SD 1, HD 1, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1861) recommending that S.B. No. 12, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 12, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

[Note: Floor Amendment No. 5 was received and subsequently withdrawn before being offered.]

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would like a ruling on a potential conflict. I own a health insurance brokerage company," and the Chair ruled, "no conflict."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on this particular bill, Stand. Com. Rep. No. 1861, S.B. 12, I just want to make short comments with reservations. Thank you, Mr. Speaker. Just basically, when we do and if we decide that this is the road that we would like to go down, that we should be treating all insurance companies the same, regulating across the board, and not giving any advantages to any one particular company, no matter how big or small. Thank you."

Representative Pine rose in support of the measure with reservations, and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 12, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," passed Third Reading by a vote of 41 ayes to 4 noes, with Representatives Berg, Hanohano, Morita and Takumi voting no, and with Representatives Bertram, Cabanilla, Green, Souki, Thielen and Tokioka being excused.

At 6:17 o'clock p.m., the Chair noted that the S.B. No. 12, SD 2, HD 2, passed Third Reading.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1867) recommending that S.B. No. 1676, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1676, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Pine offered Floor Amendment No. 10, amending S.B. No. 1676, SD 2, HD 1, as follows:

SECTION 1. Senate Bill No. 1676, Senate Draft 2, House Draft 1, is amended by deleting its contents and replacing it with the following language, to read as follows:

"SECTION 1. The legislature finds that the cost of medical malpractice and hospital professional and general liability coverage continues to rise and that stability in risk financing is needed for the Hawaii health systems corporation and the physicians serving this entity. The escalating costs of premiums, lack of insurers providing coverage in Hawaii, decreased limits of available coverage, and coverage restrictions, make it important to establish a captive insurance company to insure and control exposure to the liability risks of the aforementioned entity.

The purpose of this Act is to authorize and provide initial funding for the establishment of a domestic captive insurance company by the Hawaii health systems corporation to provide medical malpractice and hospital professional and general liability coverage for the corporation and its facilities and the physicians serving therein.

SECTION 2. Chapter 323F, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"**§323F- Captive insurance company; authorized.** (a) The corporation may establish a captive insurance company in accordance with article 19, chapter 431, to provide medical malpractice and hospital professional and general liability coverage for Hawaii health systems facilities and their physicians.

(b) In organizing a captive insurance company:

(1) The corporation shall submit a formalized financial plan to the director of finance for review and approval; and

(2) Upon receiving the approval required by paragraph (1), and in addition to the documents required by article 19, chapter 431, the corporation shall submit to the insurance commissioner a formalized business plan that includes the establishment of a captive insurer board of directors."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $, or so much thereof as may be necessary for fiscal year 2007-2008, and the same sum, or so much thereof as may be necessary for fiscal year 2008-2009, to be deposited into the Hawaii health systems corporation special fund.

The sums appropriated shall be expended by the Hawaii health systems corporation for the purposes of this Act.

SECTION 4. There is appropriated out of the health systems special fund the sum of $, or so much thereof as may be necessary for fiscal year 2007-2008, and the same sum, or so much thereof as may be necessary for fiscal year 2008-2009, for the Hawaii

health systems corporation to establish the captive insurance company authorized by this Act.

The sums appropriated shall be expended by the Hawaii health systems corporation for the purposes of this Act.

SECTION 5. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2007."

Representative Pine moved that Floor Amendment No. 10 be adopted, seconded by Representative Ching.

Representative Pine rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in support of the amendment. Basically, what the amendment does is reflects the Senate version that crossed over in March. The Health Committee passed out S.B. 1676, S.D. 2, unamended, on March 20 with no negative treatment. And this very House passed the bill on Second Reading three days later with no negative treatment.

"In the Committee, Mr. Speaker, and in the next Committee, CPC, there was also no negative treatment in terms of anyone in opposition. In fact, all the testimony was in favor. And if you look at the amendments of the bill in the most recent Committee, it's dramatically very different from what passed out of the Health Committee.

"And, so, something seems to have gone terribly wrong in terms of this bill's beginning in this House to now. And I'm very curious as to what that is. But my opposition or disagreement with the amendments really, kind of go back to what happened in the beginning of Session. Senator Daniel Inouye passed out some documents and called it the 'perfect storm' talking about a serious trouble that we are having in our health system of doctors leaving, of insurance rates being very high, problems with medical malpractice. We did make attempts in earlier Committees to try and reform, at least have tort reform, but that failed. And so many people are looking at this bill of allowing basically our Health System Corporation to create its own insurance company, to have lower rates, to pass those lower rates down to the public, to pass those lower rates down to the doctors. And so a lot of people had a lot of hope with their original bill when it got out of the Health Committee and also passed unanimously in the Senate.

"What the amendments did was, one, instead of allowing our Health System to immediately start its own captive insurance rates company, it basically changed it back to a study. So no action will be taken for a year or two years. And so we will continue to have that lack of hope in the medical system where lower rates will be provided to the hospitals, to the doctors, and eventually, to the patients. Turning it into a study when we have a 'perfect storm' coming upon us, it really loses hope for a lot of us.

"I think probably, for me at least, what was so upsetting, Mr. Speaker, I talked about the 109 bills that this Legislature has introduced since the Governor has been in office, to take away her powers, to give it to ourselves. This makes 110. In the Committee Report it says that we have amended this bill to change the composition of the HHSC Board of Directors, basically, instead of the Governor appointing the Board of Directors. We now will take that power away from her and give it to ourselves.

"You know, when I ran for office, there were some people that really inspired me. My grandmother used to go door to door with Governor Burns and her neighbor, William Richardson. So I grew up with all of them telling me stories of the old days and doing something that was meaningful. And I want us to do something meaningful here, something that I can go back to my constituency and they'll be proud of what I'm doing. And all that you hear on the radio waves and in the newspapers is about this very body trying to take away powers of this particular Governor. No Governor before this particular Governor, to give us, ourselves, more power. And we've justified those actions in many, many very different bills saying it's for the Constitution. For the sake of the Constitution …"

The Chair addressed Representative Pine, stating:

"Representative Pine, could you confine your remarks to the bill, relating to captive insurance of HHSC."

Representative Pine responded, stating:

"Actually, it's now in the bill and that's why I'm kind of … Oh, I'm sorry, Mr. Speaker. I'm not supposed to doubt you.

"Okay. Well, going back to the bill, where it does take away power away from the Governor, from appointing the Board of Directors of the HHSC and giving us the power. It once again, it takes away the great things we've done so far on this bill, and that we've done so far in the other legislation that we've passed. It leaves the feeling in the minds of the people that we hadn't really done anything meaningful. And we've really been successful at taking away the powers of the Governor."

Representative Herkes rose to speak in opposition to the proposed floor amendment, stating:

Thank you, Mr. Speaker. In opposition to the amendment. If you want to talk about the 'perfect storm', it's the management HHSC. We agree that the HHSC needs a captive. We want to develop a fire wall between the money and the management of HHSC. The intent of the draft of the bill that's before us is to form a separate corporation with expertise in insurance and financial capability to develop a captive for HHSC, and the board would manage it.

"Now, if there is a drafting problem in the bill where, and the previous speaker was correct. It did change the board of HHSC and that is not the intent in this bill. And I'll just assure the previous speaker that when we go into Conference on this, that the intent is to try to get a captive on this as quickly as possible, but there will a board managing the HHSC captive with a fire wall between the money and the management of HHSC."

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In support of the amendment. The bottom line to this is that Kahuku Hospital's premiums jumped from $68,000 last year to $400,000 for medical liability insurance. HHSC's premiums went up from $1.5 million to $4.6 million this past year. What is that? That's approximately, almost $3,350,000 approximately. Now, HHSC is going to need start up money to do this captive, between $8 million and $11 million, depending on which number you're comfortable with. That's like at least one-third of the amount that we're going to basically let go in this one year because we put in language that basically says we're going to push out being able to do a captive insurance for HHSC.

"I don't know about you, but $3.5 million is a lot of money. We drove out medical liability insurance providers for hospitals in Hawaii. We no longer have them. The reason for this increase is because we have to go to surplus lines. This underlying bill kills the opportunity to be able to have captive insurance in a succinct way. But also, this amendment says that we must have approval and have a financial plan. So, I think we do have the ability to say, 'Yes, let's save a lot of money. Yes, we're going to address this problem. And yes, we are going to get lower insurance premiums for our hospitals in which they are in dire need of the money.' Thank you."

Representative Marumoto rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I also rise in support of the amendment. I would like to see our hospital system develop a captive as soon as possible mainly because there's no guarantee that there will be insurance available. The surplus line is always very iffy and you never know what the cost is. They have the State of Hawaii over the barrel on this.

"Also, I question the need for a separate board, mainly because I do have great confidence in our Department of Commerce and Consumer Protection Insurance Division. They have a Captive Insurance Branch and they have been growing gangbusters. I believe that they can guide the hospital system in setting up a captive and so I don't share the apprehension of the Consumer Protection Chairman. The Captive Insurance Division has made Hawaii number two in the whole country, and we're number five as far as assets in the world. As of 2005, there were 163 active companies signed up through Hawaii and they had $6.5 million in assets. The total premiums are $1.5 billion and out of that $6.5 billion in assets, $1.6 billion are funneled through Hawaii banks. So, if we have the hospital system also joining in on this, that makes our economy even stronger.

"Over the past five years, 25 other states have seen the wisdom of forming captives and so, it's now become quite competitive, so I think we've got to stay ahead. I will credit the head of the captive insurance branch with this success, and his name is Craig Watanabe. For his efforts, he has received the 2006 American Institute of CPA's Outstanding CPA Government Award in Washington, D.C. So, I believe that we should proceed posthaste in setting up a captive for HHSC and I think with the help of Mr. Watanabe it will be safe and secure. Thank you very much."

The motion that Floor Amendment No. 10, amending S.B. No. 1676, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," be adopted, was put to vote by the Chair and failed to carry with Representatives Bertram, Cabanilla, Green, Nishimoto, Souki, Thielen and Tokioka being excused.

(Main Motion)

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to the underlying measure. In the Committee Report it says the purpose of this bill is to ensure the ability of the Hawaii Health Systems Corporation to obtain adequate and affordable insurance coverage by setting forth requirements for HHSC to establish a captive insurance company to provide medial malpractice and hospital professional and general liability coverage. That's what our amendment would do.

"This bill as others have said on our side of the Chamber, forestalls it. It puts it off for at least two years. Our amendment is very clean. Actually HHSC already has the ability. I mean they can do it, but ours would just go straight to it, have them put down the documents required for Article 19, the corporation shall submit to the Insurance Commissioner a formalized business plan that includes the establishment of a captive insurance board of directors. I mean, we're not waiting two years. They could be doing most this summer and get it to the DCCA. The other thing our bill does it had an appropriation in it …"

Representative B. Oshiro rose to a point of order, stating:

"Mr. Speaker, point of order. Will the speaker speak to the current bill and not the amendment which is already not before us."

The Chair then stated:

"Representative Meyer could you confine your remarks to the …"

Representative Meyer responded:

"They are very similar except that one really does something and the other just puts it off. There is on appropriation in this other bill. The major part of this bill …"

Representative B. Oshiro: "Mr. Speaker, she's not speaking to the bill. She's speaking to something that's no longer before this body."

Representative Meyer: "I'm looking at S.B. 1676."

Speaker Say: "Representative Finnegan. For what purpose do you rise?"

Representative Finnegan: "Point of information."

Speaker Say: "State your point, even though I'm not supposed to be interrupting the speaker who has the floor right now. State your point of information."

Representative Finnegan: "The information that I would like is …"

Speaker Say: "Or your point of order. State your point of order right now."

Representative Finnegan: "Thank you. I'm going to state it right now. I basically would like to know if whether or not you can be discussing the bill and its former drafts?"

Speaker Say: "Former drafts. Yes, you could be discussing the former draft, but …."

Representative Finnegan: "Well then, this is very germane because the former draft is also equivalent to what the amendment was. Thank you."

Speaker Say: "What we have before us is the House Draft to which is now in this form. But she can make reference to that point."

Representative Meyer: "Thank you very much. That's exactly what I'm trying to do until I was so rudely interrupted."

Speaker Say: "Representative Meyer, you were not rudely interrupted."

Representative Meyer: "Well, it's a matter of perception, Mr. Speaker.

"But the other problem I have with this bill, number one, it does not move us towards captive insurance for the HHSC. We already know they're drowning in this, the cost of malpractice and we are simply doing nothing for it.

"The other thing this bill does, there is no appropriation so they couldn't do it even if they can do it. It makes the requirement to send a report in before the 2008 Legislature which is just sort of a stalling tactic.

"And then the body of the bill, the bill takes up most of the time creating the corporate board and having the Legislature pick the people that the Governor will choose from. So as my very good friend and colleague from Ewa Beach stated in hers, while I'm certainly for captive insurance, I would hope that we would be moving towards that for this very important organization. This bill doesn't do it, and so, I'll be voting no."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The only reason there is no money in it is that we ran out of time and didn't have time to do a Finance referral or else the bill would have died. And so we kept it alive by excluding the money."

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition. Mr. Speaker, I have two problems with the bill. Number one is that it doesn't trust the Governor. It's going to re-engineer as was previously spoken about. And secondly, it doesn't trust HHSC. It's basically putting a foot in the aisle, to trip it up, to slow it down, to bog it down, from otherwise from what we know when we do a captive self insurance that is, we save a lot of money.

"Probably, and I'm going to refer to another amendment on the floor, probably when we hear the amendment coming down the line in the next 20 to 30 minutes, we are going to talk about are we going to save HHSC from bankruptcy. We have to save them from bleeding. We have to stabilize the hospital system. Well, that's what this bill will do by allowing the captive to proceed posthaste with all of this. Let's study this. Let's figure it out. Let's figure out how to build a firewall, number one, and then we'll get a study to do it. As we all know that a camel is a horse designed by a committee. It just doesn't work out that way. So, when we plead later on about how we're going to help HHSC, this is where it could begin. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'd just like to correct a comment that was made just as little while ago in regards to there was no appropriation section. I believe that that was the comment. Am I correct?

"This bill did start off, as it crossed over, with an appropriation section. It got passed out of the Health Committee with an appropriation section. As to whether or not, why it didn't go to Finance, I don't know why that didn't happen, but I just wanted to let you know that in our amendment, that is equivalent to what was passed out of the Health Committee. There was an appropriation section in there. Thank you. I am still in opposition."

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"I am in opposition to S.B. 1676, S.D. 2— Relating to Hawaii Health Systems Corporation

"The cost of hospital professional general liability and medical malpractice insurance premiums continue to rise. There is a lack of insurers willing to provide coverage in Hawaii, and the policies offered have decreased limits of available coverage, and restrictions on what liability exposures are covered. It is important as well as economically feasibly for HHSC to establish a captive insurance company to provide predictability.

"Predictability and stability will improve patient access to care. For example, Kahuku Hospital was nearly shut down due to financial difficulties, in part caused by the high cost of medical liability insurance. High malpractice premiums take funding away from patient care.

"The general insurance market for hospital malpractice coverage is very expensive compared to the coverage limits available, if any at all. As a result, many insurers have stopped providing this coverage in Hawaii as well as other states. A captive insurance company is a good alternative and indeed, is almost the only alternative available at this time."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1676, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 40 ayes to 5 noes, with Representatives Ching, Finnegan, Meyer, Pine and Ward voting no, and with Representatives Bertram, Cabanilla, Green, Souki, Thielen and Tokioka being excused.

At 6:36 o'clock p.m., the Chair noted that the S.B. No. 1676, SD 2, HD 1, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1929) recommending that S.B. No. 1412, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1412, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Finnegan offered Floor Amendment No. 6, amending S.B. No. 1412, SD 2, HD 2, as follows:

SECTION 1. Senate Bill No. 1412, Senate Draft 2, House Draft 2, is amended by deleting its contents and inserting the following language, to read as follows:

"SECTION 1. Insurance fraud is reported to cost every household in the United States an average of $500 per year. In Hawaii, the cost of motor vehicle insurance fraud alone has been estimated to be over $164 annually per household. In recognition of the impact that fraud has on the cost of motor vehicle insurance, Act 251, Session Laws of Hawaii 1997, was enacted to establish an insurance fraud investigations unit, and motor vehicle insurance fraud violations, and penalties. Act 155, Session Laws of Hawaii 1998, was enacted the following year to clarify the penalties for the offense of motor vehicle insurance fraud and enhanced and clarified the powers and purpose of the insurance fraud investigations unit to combat motor vehicle insurance fraud.

Insurance fraud also has increasingly affected costs within the health insurance industry. Industry healthcare fraud losses are estimated at three to fourteen per cent of the $1,200,000,000,000 in annual national healthcare costs. This is equivalent to approximately $36,000,000,000 to $168,000,000,000 annually. In Hawaii, based on the conservative estimate that insurance fraud amounts to three per cent of annual Hawaii healthcare costs, health insurance fraud causes losses that exceed $60,000,000 annually. Realizing that insurance fraud is a growing problem in the area of health insurance, health insurance fraud provisions were enacted in Act 125, Session Laws of Hawaii 2003. However, none of the healthcare insurance fraud provisions designate a specific law enforcement agency to be responsible for the investigation and prosecution of insurance fraud violations.

No line of insurance is exempt from insurance fraud. Rather than limit administrative, civil, and criminal penalties for insurance fraud to only a few selected lines of insurance, Hawaii's insurance fraud law should be expanded to include all lines of insurance to deter perpetrators of insurance fraud by demonstrating that no line of insurance will be a safe haven for those who commit insurance fraud.

The purpose of this Act is to:

(1) Establish the insurance fraud investigations branch to replace the existing insurance fraud investigations unit, and empower it to investigate and prosecute insurance fraud in all lines of insurance, except workers' compensation insurance;

(2) Establish administrative, civil, and criminal penalties for offenses of insurance fraud in all lines of insurance, except workers' compensation insurance, and for different types of insurance fraud, including fraudulent applications and sales; and

(3) Establish that fines and settlements resulting from successful insurance fraud prosecutions are to be deposited into the

compliance resolution fund to help the insurance fraud investigations branch to cover some of the cost of its own operation to prevent, investigate, and prosecute insurance fraud.

SECTION 2. Chapter 431, Hawaii Revised Statutes, is amended by adding to article 2 a new part to be appropriately designated and to read as follows:

"**PART . INSURANCE FRAUD**

§431:2-A Definitions. As used in this part:

"Branch" means the insurance fraud investigations branch of the insurance division.

"Insurance policy" for the purpose of this part, means a contract issued by an insurer or other licensee.

"Licensee" means an entity licensed under and governed by title 24, including but not limited to an insurer governed by chapter 431, a mutual benefit society governed by article 1 of chapter 432, a fraternal benefit society governed by article 2 of chapter 432, and a health maintenance organization governed by chapter 432D, and their respective agents and employees engaged in the business of the licensee, except for the business of providing workers' compensation insurance.

"Person" means any individual, company, association, organization, group, partnership, business, trust, or corporation; but shall exclude insurer, as defined in section 431:1-202, and other licensees, as defined in this part.

§431:2-B Insurance fraud investigations branch. (a) There is established in the insurance division the insurance fraud investigations branch.

(b) The branch shall:

(1) Conduct a statewide program for the prevention of insurance fraud relating to but not limited to title 24, except workers' compensation insurance;

(2) Notwithstanding any other law to the contrary investigate, and prosecute in administrative hearings and courts of competent jurisdiction all persons involved in insurance fraud violations arising out of but not limited to chapters 431, 432, and 432D; and

(3) Promote public and industry-wide education about insurance fraud.

(c) The branch may review and take appropriate action on complaints relating to insurance fraud.

(d) The commissioner shall employ or retain, by contract or otherwise, attorneys, investigators, investigator assistants, auditors, accountants, physicians, health care professionals, paralegals, consultants, experts, and other professional, technical, and support staff as necessary to promote the effective and efficient conduct of the branch's activities. The commissioner may hire such employees without regard to chapter 76.

(e) Notwithstanding any other law to the contrary, an attorney employed or retained by the branch may represent the State in any criminal, civil, or administrative proceeding to enforce all applicable state laws relating to insurance fraud, including but not limited to criminal prosecutions, disciplinary actions, and actions for declaratory and injunctive relief. Each attorney representing the State in such a proceeding shall be designated by the attorney general as a special deputy attorney general. The decision to designate an attorney as a special deputy attorney general shall be solely within the discretion of the attorney general.

(f) Investigators, investigator assistants, and auditors appointed and commissioned under this part shall have and may exercise all of the powers and authority of a police officer or of a deputy sheriff.

(g) Funding for the insurance fraud investigations branch shall come from the compliance resolution fund established pursuant to section 26-9(o).

§431:2-C Insurance fraud. (a) A person commits the offense of insurance fraud if the person intentionally or knowingly misrepresents or conceals material facts, opinions, intention, or law to obtain or attempt to obtain coverage, benefits, recovery, or compensation for services by:

(1) Presenting, or causing or permitting to be presented, an application, whether written, typed, or transmitted through electronic media, for the issuance or renewal of an insurance policy or reinsurance contract;

(2) Presenting, or causing or permitting to be presented, false information on a claim for payment whether typed, written, or transmitted through electronic media;

(3) Presenting, or causing or permitting to be presented, a claim for the payment of a loss;

(4) Presenting, or causing or permitting to be presented, improper multiple duplicative claims for the same loss or injury, including knowingly presenting the multiple and duplicative claims to more than one insurer;

(5) Presenting, or causing or permitting to be presented, any claim for payment of a health care benefit;

(6) Presenting, or causing or permitting to be presented, a claim for a health care benefit that was not used by, or provided on behalf of, the claimant;

(7) Presenting, or causing or permitting to be presented, improper multiple and duplicative claims for payment of the same health care benefit;

(8) Presenting, or causing or permitting to be presented, for payment, any undercharges for benefits on behalf of a specific claimant unless any known overcharges for benefits under this article for that claimant are presented for reconciliation at the same time;

(9) Fabricating, altering, concealing, making an entry in, or destroying a document whether typed, written, or through an audio or video tape or electronic media;

(10) Presenting, or causing or permitting to be presented, to a person, insurer, or other licensee false, incomplete, or misleading information to obtain coverage or payment otherwise available under an insurance policy;

(11) Presenting, or causing or permitting to be presented, to a person or producer, information about a person's status as a licensed producer that induces a person or insurer to purchase an insurance policy or reinsurance contract;

(12) Making, or causing or permitting to be made, any statement, either typed, written, or through audio or video tape or electronic media, or claims by the person or on behalf of a person with regard to obtaining legal recovery or benefits; and

(13) Intentionally or knowingly aiding, agreeing, or attempting to aid, solicit, or conspire with any person who engages in an unlawful act as defined under this section; or

(14) Intentionally or knowingly making, causing, or permiting to be presented, any false statements or claims by any person or on behalf of any person during an official proceeding as defined by section 710-1000.

(b) Where the person acting with intent to defraud under subsection (a) possessed actual knowledge or acted in deliberate ignorance of the truth or falsity of the misrepresentation or concealment of the material facts, opinions, intention, or law, insurance fraud is a:

(1) Class B felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $20,000;

(2) Class C felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $300; or

(3) Misdemeanor if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is $300 or less.

(c) This section shall not supersede any other law relating to theft, fraud, or deception. Insurance fraud may be prosecuted under this part, or any other applicable statute or common law, and all such remedies shall be cumulative.

(d) For the purpose of this section, "intentionally" and "knowingly" have the meanings as in section 702-206.

§431:2-D Restitution. Where the ability to make restitution can be demonstrated, any person convicted under this part shall be ordered by a court to make restitution to any insurer, person, or other licensee for any financial loss sustained by that insurer, person, or licensee caused by the act or acts for which the person was convicted.

§431:2-E Insurance fraud; administrative penalties. (a) In addition to or in lieu of criminal penalties under section 431:2-C(b), any person who commits insurance fraud as defined under section 431:2-C, may be subject to the administrative penalties of subsection (b).

(b) If a person is found to have knowingly committed insurance fraud under title 24, the commissioner may assess a penalty including any or all of the following:

(1) Restitution to any insurer or any other person of benefits or payments fraudulently received or other damages or costs incurred;

(2) A fine of not more than $10,000 for each violation; and

(3) Reimbursement of attorneys' fees and costs of the party sustaining a loss under this part, except that the State shall be exempt from paying attorney fees and costs to other parties.

(c) Administrative actions brought for insurance fraud under this part shall be brought within six years after the insurance fraud is discovered or by exercise of reasonable diligence should have been discovered and, in any event, no more than ten years after the date on which a violation of this part is committed.

(d) For the purpose of subsection (b), "knowingly" means that a person, has actual knowledge of the facts; and

(1) Acts in deliberate ignorance of the truth or falsity of the facts; or

(2) Acts in reckless disregard of the truth or falsity of the facts.

No proof of specific intent to defraud is required to prove that a person acted "knowingly" with respect to the facts.

§431:2-F Administrative procedures. (a) An administrative penalty may be imposed based upon a judgment by a court of competent jurisdiction or upon an order by the commissioner.

(b) Prior to imposition of any administrative remedy the commissioner shall hold a hearing in accordance with chapter 91.

§431:2-G Acceptance of payment. A provider's failure to dispute a reduced payment by an insurer shall not constitute an implied admission that a fraudulent billing had been submitted.

§431:2-H Civil cause of action for insurance fraud; exemption. (a) An insurer or other licensee shall have a civil cause of action to recover payments or benefits from any person who has violated any practice prohibited by section 431:2-C of this part. No recovery shall be allowed if the person has made restitution under section 431:2-D or 431:2-E(b)(1).

(b) A person, insurer, or other licensee including an insurer or other licensee's adjusters, bill reviewers, producers, representatives, or common-law agents, if acting without actual malice, shall not be subject to civil liability for providing information, including filing a report, furnishing oral, written, audio taped, video taped, or electronic media evidence, providing documents, or giving testimony concerning suspected, anticipated, or completed insurance fraud to:

(1) A court;

(2) The commissioner;

(3) The insurance fraud investigations branch;

(4) The National Association of Insurance Commissioners;

(5) The National Insurance Crime Bureau;

(6) Any federal, state, or county law enforcement or regulatory agency; or

(7) Another insurer or other licensee, if the information is provided for the purpose of preventing, investigating, or prosecuting insurance fraud;

unless the person commits perjury.

(c) Civil actions brought for insurance fraud under this part shall be brought within six years after the insurance fraud is discovered or by exercise of reasonable diligence should have been discovered and, in any event, no more than ten years after the date on which a violation of this part is committed.

§431:2-I Mandatory reporting. (a) Within sixty days of an insurer or other licensee's employee or agent discovering credible information indicating that a violation of section 431:2-C is occurring or has occurred or as soon thereafter as practicable, the insurer or licensee shall provide to the insurance fraud investigations branch information, including documents and other evidence, regarding the alleged violation of section 431:2-C.

(b) Information provided pursuant to this section shall be protected from public disclosure to the extent authorized by chapter 92F and section 431:2-209; provided that the branch may release the information in an administrative or judicial proceeding to enforce this part, to federal, state, or local law enforcement or regulatory authorities, the National Association of Insurance Commissioners, the National Insurance Crime Bureau, or an insurer or other licensee aggrieved by the alleged violation of section 431:2-C.

§431:2-J Deposit into the compliance resolution fund. All moneys that have been recovered by the department of commerce

and consumer affairs as a result of prosecuting insurance fraud violations pursuant to this part, including civil fines, criminal fines, administrative fines, and settlements, but not including restitution made pursuant to sections 431:2-D, 431:2-E(b)(1) or 431:2-H, shall be deposited into the compliance resolution fund established pursuant to section 26-9(o)."

SECTION 3. Section 431:2-203, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) (1) A person who intentionally or knowingly violates, intentionally or knowingly permits any person over whom the person has authority to violate, or intentionally or knowingly aids any person in violating any insurance rule or statute of this State or any effective order issued by the commissioner, shall be subject to any penalty or fine as [~~stated in~~] provided by this code or the penal code of the Hawaii Revised Statutes.

(2) If the commissioner has cause to believe that any person has violated any penal provision of this code or of other laws relating to insurance, the commissioner may proceed against that person or shall certify the facts of the violation to the public prosecutor of the jurisdiction in which the offense was committed.

(3) Violation of any provision of this code is punishable by a fine of not less than $100 nor more than $10,000 per violation, or by imprisonment for not more than one year, or both, in addition to any other penalty or forfeiture provided herein or otherwise by law.

(4) The terms "intentionally" and "knowingly" have the meanings given in section 702-206(1) and (2)."

SECTION 4. Section 431:2-204, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) When the commissioner, through the insurance fraud investigations [~~unit,~~] branch, is conducting an investigation of possible violations of [~~section 431:10C-307.7,~~] part , the commissioner shall pay to a financial institution that is served a subpoena issued under this section a fee for reimbursement of [~~such~~] the costs as are necessary and which have been directly incurred in searching for, reproducing, or transporting books, papers, documents, or other objects designated by the subpoena. Reimbursement shall be paid at a rate not to exceed the rate set forth in section 28-2.5(d)."

SECTION 5. Section 432:2-102, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Nothing in this article shall exempt fraternal benefit societies from the provisions and requirements of part of article 2 of chapter 431 and section 431:2-215."

SECTION 6. Section 431:10A-131, Hawaii Revised Statutes, is repealed.

["~~**[§431:10A-131] Insurance fraud; penalties.** (a) A person commits the offense of insurance fraud if the person acts or omits to act with intent to obtain benefits or recovery or compensation for services provided, or provides legal assistance or counsel with intent to obtain benefits or recovery, through the following means:~~

~~(1) Knowingly presenting, or causing or permitting to be presented, with the intent to defraud, any false information on a claim;~~

~~(2) Knowingly presenting, or causing or permitting to be presented, any false claim for the payment of a loss;~~

~~(3) Knowingly presenting, or causing or permitting to be presented, multiple claims for the same loss or injury, including presenting multiple claims to more than one insurer, except when these multiple claims are appropriate;~~

~~(4) Knowingly making, or causing or permitting to be made, any false claim for payment of a health care benefit;~~

~~(5) Knowingly submitting, or causing or permitting to be submitted, a claim for a health care benefit that was not used by, or provided on behalf of, the claimant;~~

~~(6) Knowingly presenting, or causing or permitting to be presented, multiple claims for payment of the same health care benefit except when these multiple claims are appropriate;~~

~~(7) Knowingly presenting, or causing or permitting to be presented, for payment any undercharges for benefits on behalf of a specific claimant unless any known overcharges for benefits under this article for that claimant are presented for reconciliation at the same time;~~

~~(8) Aiding, or agreeing or attempting to aid, soliciting, or conspiring with any person who engages in an unlawful act as defined under this section; or~~

~~(9) Knowingly making, or causing or permitting to be made, any false statements or claims by, or on behalf of, any person or persons during an official proceeding as defined by section 710-1000.~~

~~(b) Violation of subsection (a) is a criminal offense and shall constitute a:~~

~~(1) Class B felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $20,000;~~

~~(2) Class C felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $300; or~~

~~(3) Misdemeanor if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is $300 or less.~~

~~(c) Where the ability to make restitution can be demonstrated, any person convicted under this section shall be ordered by a court to make restitution to an insurer or any other person for any financial loss sustained by the insurer or other person caused by the act or acts for which the person was convicted.~~

~~(d) A person, if acting without malice, shall not be subject to civil liability for providing information, including filing a report, furnishing oral or written evidence, providing documents, or giving testimony concerning suspected, anticipated, or completed public or private insurance fraud to a court, the commissioner, the insurance fraud investigations unit, the National Association of Insurance Commissioners, any federal, state, or county law enforcement or regulatory agency, or another insurer if the information is provided only for the purpose of preventing, investigating, or prosecuting insurance fraud, except if the person commits perjury.~~

~~(e) This section shall not supersede any other law relating to theft, fraud, or deception. Insurance fraud may be prosecuted under this section, or any other applicable section, and may be enjoined by a court of competent jurisdiction.~~

~~(f) An insurer shall have a civil cause of action to recover payments or benefits from any person who has intentionally obtained payments or benefits in violation of this section; provided that no recovery shall be allowed if the person has made restitution under subsection (c).~~"]

SECTION 7. Section 431:10C-307.7, Hawaii Revised Statutes, is

repealed.

["**§431:10C-307.7 Insurance fraud; penalties.** (a) A person commits the offense of insurance fraud if the person acts or omits to act with intent to obtain benefits or recovery or compensation for services provided, or provides legal assistance or counsel with intent to obtain benefits or recovery, through the following means:

(1) Knowingly presenting, or causing or permitting to be presented, any false information on a claim;

(2) Knowingly presenting, or causing or permitting to be presented, any false claim for the payment of a loss;

(3) Knowingly presenting, or causing or permitting to be presented, multiple claims for the same loss or injury, including presenting multiple claims to more than one insurer, except when these multiple claims are appropriate;

(4) Knowingly making, or causing or permitting to be made, any false claim for payment of a health care benefit;

(5) Knowingly submitting, or causing or permitting to be submitted, a claim for a health care benefit that was not used by, or provided on behalf of, the claimant;

(6) Knowingly presenting, or causing or permitting to be presented, multiple claims for payment of the same health care benefit except when these multiple claims are appropriate;

(7) Knowingly presenting, or causing or permitting to be presented, for payment any undercharges for benefits on behalf of a specific claimant unless any known overcharges for benefits under this article for that claimant are presented for reconciliation at the same time;

(8) Aiding, or agreeing or attempting to aid, soliciting, or conspiring with any person who engages in an unlawful act as defined under this section; or

(9) Knowingly making, or causing or permitting to be made, any false statements or claims by, or on behalf of, any person or persons during an official proceeding as defined by section 710-1000.

(b) Violation of subsection (a) is a criminal offense and shall constitute a:

(1) Class B felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $20,000;

(2) Class C felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $300; or

(3) Misdemeanor if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is $300 or less.

(c) Where the ability to make restitution can be demonstrated, any person convicted under this section shall be ordered by a court to make restitution to an insurer or any other person for any financial loss sustained by the insurer or other person caused by the act or acts for which the person was convicted.

(d) A person, if acting without malice, shall not be subject to civil liability for providing information, including filing a report, furnishing oral or written evidence, or giving testimony concerning suspected, anticipated, or completed insurance fraud to a court, the commissioner, the insurance fraud investigations unit, the National Association of Insurance Commissioners, any federal, state, or county law enforcement or regulatory agency, or another insurer if the information is provided only for the purpose of preventing, investigating, or prosecuting insurance fraud, except if the person commits perjury.

(e) This section shall not supersede any other law relating to theft, fraud, or deception. Insurance fraud may be prosecuted under this section, or any other applicable section, and may be enjoined by a court of competent jurisdiction.

(f) An insurer shall have a civil cause of action to recover payments or benefits from any person who has intentionally obtained payments or benefits in violation of this section; provided that no recovery shall be allowed if the person has made restitution under subsection (c).

(g) All applications for insurance under this article and all claim forms provided and required by an insurer, regardless of the means of transmission, shall contain, or have attached to them, the following or a substantially similar statement, in a prominent location and typeface as determined by the insurer: "For your protection, Hawaii law requires you to be informed that presenting a fraudulent claim for payment of a loss or benefit is a crime punishable by fines or imprisonment, or both." The absence of such a warning in any application or claim form shall not constitute a defense to a charge of insurance fraud under this section.

(h) An insurer, or the insurer's employee or agent, having determined that there is reason to believe that a claim is being made in violation of this section, shall provide to the insurance fraud investigations unit within sixty days of that determination, information, including documents and other evidence, regarding the claim in the form and manner prescribed by the unit. Information provided pursuant to this subsection shall be protected from public disclosure to the extent authorized by chapter 92F and section 431:2-209; provided that the unit may release the information in an administrative or judicial proceeding to enforce this section, to a federal, state, or local law enforcement or regulatory authority, to the National Association of Insurance Commissioners, or to an insurer aggrieved by the claim reasonably believed to violate this section."]

SECTION 8. Section 431:10C-307.8, Hawaii Revised Statutes, is repealed.

["**§431:10C-307.8 Insurance fraud investigations unit.** (a) There is established in the insurance division an insurance fraud investigations unit.

(b) The unit shall employ attorneys, investigators, investigator assistants, and other support staff as necessary to promote the effective and efficient conduct of the unit's activities. Notwithstanding any other law to the contrary, the attorneys may represent the State in any judicial or administrative proceeding to enforce all applicable state laws relating to insurance fraud, including but not limited to criminal prosecutions and actions for declaratory and injunctive relief. Investigators may serve process and apply for and execute search warrants pursuant to chapter 803 and the rules of court but shall not otherwise have the powers of a police officer or deputy sheriff. The commissioner may hire such employees not subject to chapter 76.

(c) The purpose of the insurance fraud investigations unit shall be to conduct a statewide program for the prevention, investigation, and prosecution of insurance fraud cases and violations of all applicable state laws relating to insurance fraud. The insurance fraud investigations unit may also review and take appropriate action on complaints relating to insurance fraud."]

SECTION 9. Section 432:1-106, Hawaii Revised Statutes, is repealed.

["**[§432:1-106] Insurance fraud; penalties.** (a) A person commits the offense of insurance fraud if the person acts or omits to act with intent to obtain benefits or recovery or compensation for

services provided, or provides legal assistance or counsel with intent to obtain benefits or recovery, through the following means:

(1) Knowingly presenting, or causing or permitting to be presented, with the intent to defraud, any false information on a claim;

(2) Knowingly presenting, or causing or permitting to be presented, any false claim for the payment of a loss;

(3) Knowingly presenting, or causing or permitting to be presented, multiple claims for the same loss or injury, including presenting multiple claims to more than one insurer, except when these multiple claims are appropriate;

(4) Knowingly making, or causing or permitting to be made, any false claim for payment of a health care benefit;

(5) Knowingly submitting, or causing or permitting to be submitted, a claim for a health care benefit that was not used by, or provided on behalf of, the claimant;

(6) Knowingly presenting, or causing or permitting to be presented, multiple claims for payment of the same health care benefit except when these multiple claims are appropriate;

(7) Knowingly presenting, or causing or permitting to be presented, for payment any undercharges for benefits on behalf of a specific claimant unless any known overcharges for benefits under this article for that claimant are presented for reconciliation at the same time;

(8) Aiding, or agreeing or attempting to aid, soliciting, or conspiring with any person who engages in an unlawful act as defined under this section; or

(9) Knowingly making, or causing or permitting to be made, any false statements or claims by, or on behalf of, any person or persons during an official proceeding as defined by section 710-1000.

(b) Violation of subsection (a) is a criminal offense and shall constitute a:

(1) Class B felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $20,000;

(2) Class C felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $300; or

(3) Misdemeanor if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is $300 or less.

(c) Where the ability to make restitution can be demonstrated, any person convicted under this section shall be ordered by a court to make restitution to an insurer or any other person for any financial loss sustained by the insurer or other person caused by the act or acts for which the person was convicted.

(d) A person, if acting without malice, shall not be subject to civil liability for providing information, including filing a report, furnishing oral or written evidence, providing documents, or giving testimony concerning suspected, anticipated, or completed public or private insurance fraud to a court, the commissioner, the insurance fraud investigations unit, the National Association of Insurance Commissioners, any federal, state, or county law enforcement or regulatory agency, or another insurer if the information is provided only for the purpose of preventing, investigating, or prosecuting insurance fraud, except if the person commits perjury.

(e) This section shall not supersede any other law relating to theft, fraud, or deception. Insurance fraud may be prosecuted under this section, or any other applicable section, and may be enjoined by a court of competent jurisdiction.

(f) An insurer shall have a civil cause of action to recover payments or benefits from any person who has intentionally obtained payments or benefits in violation of this section; provided that no recovery shall be allowed if the person has made restitution under subsection (c)."]

SECTION 10. Section 432D-18.5, Hawaii Revised Statutes, is repealed.

["**[§432D-18.5] Insurance fraud; penalties.** (a) A person commits the offense of insurance fraud if the person acts or omits to act with intent to obtain benefits or recovery or compensation for services provided, or provides legal assistance or counsel with intent to obtain benefits or recovery, through the following means:

(1) Knowingly presenting, or causing or permitting to be presented, with the intent to defraud, any false information on a claim;

(2) Knowingly presenting, or causing or permitting to be presented, any false claim for the payment of a loss;

(3) Knowingly presenting, or causing or permitting to be presented, multiple claims for the same loss or injury, including presenting multiple claims to more than one insurer, except when these multiple claims are appropriate;

(4) Knowingly making, or causing or permitting to be made, any false claim for payment of a health care benefit;

(5) Knowingly submitting, or causing or permitting to be submitted, a claim for a health care benefit that was not used by, or provided on behalf of, the claimant;

(6) Knowingly presenting, or causing or permitting to be presented, multiple claims for payment of the same health care benefit except when these multiple claims are appropriate;

(7) Knowingly presenting, or causing or permitting to be presented, for payment any undercharges for benefits on behalf of a specific claimant unless any known overcharges for benefits under this article for that claimant are presented for reconciliation at the same time;

(8) Aiding, or agreeing or attempting to aid, soliciting, or conspiring with any person who engages in an unlawful act as defined under this section; or

(9) Knowingly making, or causing or permitting to be made, any false statements or claims by, or on behalf of, any person or persons during an official proceeding as defined by section 710-1000.

(b) Violation of subsection (a) is a criminal offense and shall constitute a:

(1) Class B felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $20,000;

(2) Class C felony if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is more than $300; or

(3) Misdemeanor if the value of the benefits, recovery, or compensation obtained or attempted to be obtained is $300 or less.

~~(c) Where the ability to make restitution can be demonstrated, any person convicted under this section shall be ordered by a court to make restitution to an insurer or any other person for any financial loss sustained by the insurer or other person caused by the act or acts for which the person was convicted.~~

~~(d) A person, if acting without malice, shall not be subject to civil liability for providing information, including filing a report, furnishing oral or written evidence, providing documents, or giving testimony concerning suspected, anticipated, or completed public or private insurance fraud to a court, the commissioner, the insurance fraud investigations unit, the National Association of Insurance Commissioners, any federal, state, or county law enforcement or regulatory agency, or another insurer if the information is provided only for the purpose of preventing, investigating, or prosecuting insurance fraud, except if the person commits perjury.~~

~~(e) This section shall not supersede any other law relating to theft, fraud, or deception. Insurance fraud may be prosecuted under this section, or any other applicable section, and may be enjoined by a court of competent jurisdiction.~~

~~(f) An insurer shall have a civil cause of action to recover payments or benefits from any person who has intentionally obtained payments or benefits in violation of this section; provided that no recovery shall be allowed if the person has made restitution under subsection (c).~~"]

SECTION 11. All rights, powers, functions, and duties of the insurance fraud investigations unit are transferred to the insurance fraud investigations branch.

All officers and employees whose functions are transferred by this Act shall be transferred with their functions and shall continue to perform their regular duties upon their transfer, subject to the state personnel laws and this Act.

No officer or employee of the State having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act, and such officer or employee may be transferred or appointed to a civil service position without the necessity of examination; provided that the officer or employee possesses the minimum qualifications for the position to which transferred or appointed; and provided that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

An officer or employee of the State who does not have tenure and who may be transferred or appointed to a civil service position as a consequence of this Act shall become a civil service employee without the loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges and without the necessity of examination; provided that such officer or employee possesses the minimum qualifications for the position to which transferred or appointed.

If an office or position held by an officer or employee having tenure is abolished, the officer or employee shall not thereby be separated from public employment, but shall remain in the employment of the State with the same pay and classification and shall be transferred to some other office or position for which the officer or employee is eligible under the personnel laws of the State as determined by the head of the department or the governor.

SECTION 12. All appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the insurance fraud investigations unit relating to the functions transferred to the insurance fraud investigations branch shall be transferred with the functions to which they relate.

SECTION 13. In codifying the new sections added by section 2 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 14. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 15. This Act shall take effect on July 1, 2007."

Representative Finnegan moved that Floor Amendment No. 6 be adopted, seconded by Representative Meyer.

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In regards to this amendment, Mr. Speaker, the amendment addresses something that happened with this bill. Originally, this bill was to create this insurance fraud investigations unit originally when it crossed over. And what had happened was it had all of the lines of insurance in there except for workers' comp. What happened in a later draft, after it got passed out of Judiciary as is, according to how the Senate passed it over to us, then it went through a variety of changes.

"One main change, actually, it went from the investigative unit going from all lines of insurance, except workers' comp, to the complete opposite, to workers' comp, and let's not address all of the other lines of insurance. The reason why the original bill, or the bill that crossed over, the reason why it did not have workers' comp in there addressing the fraud for workers' comp, because as we know over the years, what has happened was we could never, the different sides could never come to an agreement as to how we would address fraud in workers' comp.

"However, the Insurance Commissioner took a lot of time and tried to do a lot of collaborating for all of the different lines of insurance and when he did that, it came out to some really good language that everybody could agree on, except for workers' comp. So the reason why they don't have workers' comp in this particular bill is because if workers' comp was in the bill, the bill would probably, most likely, not survive.

"So, what did we do? We took a 180. We said no investigating fraud of any other lines of insurance because we want to have workers' comp, I guess, addressed first. Insurance fraud, is insurance fraud, is insurance fraud. Fraud should be investigated. The people that this affects for all the different lines have come together in agreement on this particular bill, Mr. Speaker, former drafts of this bill. We just ruined that bill and ruined the opportunity to address insurance fraud in all the other different lines. What does that mean? When we don't address the insurance fraud, it means higher cost for insurance for everybody.

"What I would like to do in this amendment is put it back to what it was before. The Senate draft that came over, that crossed over, passed the Senate, passed Judiciary with no amendments, and now we've got one that would probably die because it has workers' comp, or we'll be fighting to have workers' comp in there. It doesn't make sense to me that we're going to sacrifice higher cost of premiums for everybody on these other lines just so that we can kill the bill in workers' comp, because workers' comp can't get together on a collaborative effort to make sure that we have something that they can work with. Thank you."

Representative M. Oshiro rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, thank you. I'm rising to speak in opposition to this amendment. First of all, I need to state that I think it's bad public policy to have the regulated industries write the laws, but will still be regulated.

"Secondly, Mr. Speaker, I'm speaking against the proposed amendment. May I take liberty and read from the testimony of the State Insurance Commissioner because in the bill before us that the Minority Leader is seeking to amend, which was H.B. 88, H.D. 2. These are the words from the Insurance Commissioner, and he states, 'Workers' compensation fraud is a concern nationally and locally. In 2003 Hawaii experienced a 24% increase in average workers' compensation premiums paid by Hawaii's employers. This bill would seek to ease the burden fraud puts on the workers compensation system through the prevention, investigation and prosecution of workers' compensation fraud committed by those attempting to abuse the system.'

"And in further support against this amendment, let me also quote verbatim from the testimony of the Director of Labor and Industrial Relations on H.B. 88, H.D. 2, which is in the underlying House draft. 'The Department supports expanding the Insurance Commissioner's jurisdiction to investigate and prosecute workers' compensation fraud. The Insurance Commissioner has been aggressive and successful in investigating and prosecuting automobile insurance fraud and the Department believes it is natural for the Insurance Commissioner to expand his office expertise to workers' compensation fraud.'

"Mr. Speaker, as evidenced by the testimony from the Administration officials, both by the State Insurance Commissioner and from the Department of Labor and Industrial Relations, there seems to be some disconnect between the Administration's departments, the Administration, and the Minority Leader with this floor amendment.

"Mr. Speaker, your Committee on Finance is in sync with the departments, and we chose to insert the provisions of H.B. 88 into this measure as the deletion of workers' compensation from the purview of the insurance investigations unit severely hampers the effectiveness of this unit.

"The Legislature, Mr. Speaker, in this Session has been criticized for taking powers away from the Administration. In this measure, your Committee on Finance has attempted to broaden the powers of the administrative division. Workers' compensation fraud has been a driving force behind the inadequacies and shortcomings of the whole system. This measure begins to address some of the faults of the workers' compensation system. With the support of the Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs Insurance Division, the Attorney General, and the Department of Human Resources Director, the Minority Leader may need to amend this proposed amendment to accurately reflect the wishes and preferences of these Departments and administrators. For these reasons, I stand in opposition to this floor amendment. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, I'm rising in support of the amendment. I would just say that in looking at the bill that was heard in Judiciary and was passed out, there was nobody that testified in opposition. The DCCA, the Department of Attorney General, Hawaii Association of Health Plans, Hawaii Medical Services Association, ILWU, National Association of Insurance and Financial Advisors, State Farm Insurance, and the American Council. This bill would expand the investigation of insurance fraud to all forms of insurance, except for workers' comp and that's how they got all that agreement from these various groups.

"Workers' comp is a real hot button. It's hard to get the unions to agree with the Department of Labor or it just, what the Insurance Commissioner wants to do is to save more money so that our premiums will go down. I was astounded to see the figures that he came up with on health insurance, and that was one of the things that would be covered in this amendment, but estimated at a loss of $60 million annually on health insurance fraud, where he's already investigating auto insurance fraud. It is estimated that each family, it's worth about $160 for each family, the money that they'd save because of the fraud that they are uncovering. So, if we want to reduce the premiums on all kinds of insurance, it makes sense to have the Office of DCCA do this.

"I can't understand. I question whether the Chairman of Finance had the agreement from the Chairman of Judiciary because he passed it on and it was very non-controversial and it would be a good thing for the people of Hawaii. There would be savings in insurance premiums, but by taking this out, you are essentially not expanding the kinds of fraud they can investigate. You're just pinpointing workers' comp which is so controversial.

"At first, in the Committee I thought that the Chairman of Finance had just put workers' comp in with the other things. The people that were in the Finance Committee testifying, they were not testifying on this workers' comp bill. They were testifying as it says in the Committee Report, the purpose of the bill to expand the authority to the Department of Commerce and Consumer Affairs, Insurance Fraud Investigation Unit, and that's what they were testifying on.

"So, this bill just came out of nowhere, and there certainly was nobody testifying on the workers' comp fraud and so, that's why we would like to see a bill that's clean, that had, you know, there were no no votes in Judiciary and the Judiciary Chair was in favor of it. So, that's why we have introduced this amendment. Thank you."

Representative Finnegan rose to respond, stating:

"Mr. Speaker, second time in support of the amendment. I think I'm still dizzy from the spin from before, from the Representative of Wahiawa in his comments in regards to talking about how DLIR and the Insurance Commissioner, and how we're not connected. There is no disconnect in this. Of course, if you asked DLIR or the Insurance Commissioner would they prefer that we investigate fraud in workers' comp, what are they going to say? They've been trying to pass that for I don't know how many years.

"We've come to the conclusion, I guess, by supporting the prior drafts of this bill, that we don't want to see it die. We'd rather to have something that allows us to investigate fraud than nothing at all. Mr. Speaker, again, let's not just play with, you know, what they support, workers' comp more than these other things.

"The bottom line is there is a perfectly good bill that would address bringing down our insurance premiums for all other lines. If you want workers' comp, we've done it before. It didn't pass. If you want workers' comp, you should have put a bill in. I'm just saying, Mr. Speaker, let's work on something to address fraud. Thank you."

The motion that Floor Amendment No. 6, amending S.B. No. 1412, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," be adopted, was put to vote by the Chair and failed to carry, with Representatives Bertram, Cabanilla, Green, McKelvey, Souki, Thielen and Tokioka being excused.

(Main Motion)

Representative Meyer rose, stating:

"Mr. Speaker, on the underlying bill, all Republicans vote aye with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1412, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Third Reading by a vote of 44 ayes, with Representatives Bertram, Cabanilla, Green, McKelvey, Souki, Thielen and Tokioka being excused.

At 6:51 o'clock p.m., the Chair noted that the S.B. No. 1412, SD 2, HD 2, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1937) recommending that S.B. No. 1792, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1792, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Morita offered Floor Amendment No. 11, amending S.B. No. 1792, SD 3, HD 2, as follows:

SECTION 1. Senate Bill No. 1792, S.D. 3, H. D. 2 (RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION), is amended by deleting its contents and replacing it with new language, to read as follows:

"SECTION 1. The legislature finds that the State's community hospital system, Hawaii health systems corporation, is the fourth largest public hospital system in the nation. The Hawaii health system corporation's public health facilities provide essential safety-net hospital and long-term care services throughout the state and are often the only hospitals in many rural communities. Due to rapid changes taking place in the health care industry, the legislature acknowledges that the governing structure of our public hospital system must provide the appropriate flexibility and autonomy needed to compete and remain viable and respond to the needs of the specific communities served by furthering the development of centers of excellence in health care.

The current administrative arrangement places the public hospital system in a single statewide public agency, the Hawaii health systems corporation, which operates with some autonomy from the executive branch. This arrangement is the result of landmark legislation, Act 262, Session Laws of Hawaii 1996 (Act 262), after years of study. Act 262 was largely the result of the work of a task force established pursuant to Act 266, Session Laws of Hawaii 1994, charged with studying the establishment of an agency for community hospitals, then a division of the department of health. On December 20, 1994, the task force issued its report to the governor and the legislature entitled "The Preliminary Report of the Governor's Task Force on the Establishment of an Agency for Community Hospitals." Many of the recommendations of the task force were adopted by the legislature, resulting in passage of Act 262, and the creation of the Hawaii health systems corporation in 1996.

One significant recommendation of the task force included the establishment of regional affiliate boards of directors, along with the system-wide board. The task force stated that:

> "The Hawaii Health Systems Corporation should administer the state facilities in a decentralized fashion, with the facilities to be grouped into five regions. Three regions should be formed for the facilities of Kauai, Oahu and Maui Counties respectively, and the Big Island should be divided into Eastern and Western regions.
>
> Each region should have an operating Board of Directors consisting of nine members. Regional Boards should be initially appointed by the Governor with the advice and consent of the Senate, and should subsequently be self perpetuating (i.e., with future Board appointments made by the current Board)."

During the 1996 conference committee hearings on S.B. No. 2522, which ultimately became Act 262, the regional affiliate board concept was replaced with regional management advisory committees. The management advisory committees represent the communities in which the hospitals are located and meet with the management of the facilities and the executives of the Hawaii health systems corporation to give the communities a voice in the provision of these vital safety-net hospital services. However, the legislature finds that the Hawaii health systems corporation has developed strong administrative and clinical leadership in all five regions and is now ready for the implementation of the regional affiliate boards recommendation. Further, the regional affiliate board concept would enhance the ability of local communities and stakeholders to participate in the decision-making and operation of their own community hospitals. While the management advisory committees have been diligent in representing the communities, their role has been solely advisory. Local community stakeholders, through independent regional affiliate boards, are in the best position to make the critical decisions relating to the local operation of their community hospitals. Additionally, regional affiliate boards would have the ability to address local needs and concerns in a more timely fashion.

The hospitals, through the Hawaii health systems corporation, should still engage in state-wide activities where a system-wide approach may provide economies of scale, efficiencies, and inter-regional collaboration and cooperation.

The purpose of this Act is to advance the State's commitment to provide quality health care for the people of Hawaii, by moving forward on the original task force recommendation of community-based governance and establishing regional affiliate boards for all regions, to be governed by a community-based regional affiliate board of directors, and to provide the necessary authority for each region to accomplish the goal of community-based governance. The Hawaii health system corporation will continue to provide system-wide functions and governance with enhanced representation of regional affiliate board members.

SECTION 2. Chapter 323F, Hawaii Revised Statutes, is amended by adding four new sections to be appropriately designated and to read as follows:

§323F-A Regional affiliate boards. (a) Each of the regions specified in section 323F-2 shall be governed by a regional affiliate board of directors, which shall carry out the duties and responsibilities set forth in this chapter and as further delegated by the corporation.

(b) Each regional affiliate board shall consist of eleven members to be appointed by the governor pursuant to section 26-34; provided eight are appointed as follows:

(1) Two members within thirty days of receipt of a qualified list of candidates as follows:

(A) One member from a list of at least four individuals who are not physicians submitted by the speaker of the house of representatives; and

(B) One member from a list of at least four individuals who are not physicians submitted by the president of the senate;

(2) One member nominated by the regional public health facility management advisory committee, chosen from the members of the corporation board who are not physicians;

(3) Two members from a list of four individuals who are not physicians submitted by the mayor of the county in which the regional affiliate board is located; and

(4) Three physicians from a list of up to six physicians nominated by a majority vote of each medical staff of the public health facilities in the region present at a duly noticed meeting from a list of qualified candidates submitted by the medical executive committees in the region.

(c) Terms for the initial regional affiliate board members shall be as follows:

(1) Two years for members nominated by the house of representatives, senate, or medical executive committees in the region;

(2) Two years for the member nominated by the regional public health facility management advisory committee for the region; and

(3) Three years for the remaining members and all members appointed thereafter.

(d) New members appointed to the regional affiliate board after the original members shall be selected in the same manner as the original members, except the corporation board member, who shall be nominated by the regional affiliate board.

(e) Except for the appointment of a representative from the corporation, all other members of a regional affiliate board shall be residents of the region. Each regional affiliate board shall elect its own chair.

(f) Each regional affiliate board shall be responsible for local governance, operations, and administration of the delivery of services in its respective region as set forth in this chapter and as further delegated by the corporation. Each regional affiliate board shall include non physician medical and health care providers and professionals, consumers, and knowledgeable individuals in other appropriate areas, such as business and law. Each regional affiliate board shall be as balanced and representative of the community stakeholders as possible.

(g) Any member of a regional affiliate board may be removed for cause by the governor or for cause by vote of a two-thirds majority of the regional affiliate board's voting members then in office. For purposes of this section, "cause" shall include without limitation:

(1) Malfeasance in office;

(2) Persistent failure to attend regularly called meetings;

(3) Sentencing for conviction of a felony, to the extent allowed by section 831-3.1; or

(4) Any other cause that may render a member incapable of discharging or unfit to discharge the duties required under this chapter.

§323F-B Regional chief executive officer; exempt position. (a) Upon establishment, a regional affiliate board may appoint a regional chief executive officer in collaboration with and subject to the approval of the corporation board; provided that the position shall be exempt from chapter 76 and section 26-35(a)(4). The regional chief executive officer may also appoint as necessary other personnel, exempt from chapters 76 and 89, to work directly for the regional chief executive officer for the region and for the corresponding regional affiliate board.

(b) Any regional affiliate board or its designee may discharge its exempt personnel with or without cause; provided that removal without cause shall not prejudice any contract rights of personnel.

(c) The regional chief executive officer or the regional chief executive officer's designee may appoint, exempt from chapters 76 and 89, hospital administrators, assistant administrators, directors of nursing, medical directors, and staff physicians, to facilitate the management of facilities within the region.

(d) Hiring, firing, compensation packages, and other personnel actions of employees not covered by chapters 76 and 89 shall be governed by policies adopted by each regional affiliate board, subject to policies and guidelines established by the corporation in consultation with the regional affiliate boards.

§323F-C. Regional affiliate boards; delegated authority. If the Hawaii health systems corporation board is unable to act on important transactions in as timely a manner as reasonably required, the chairperson of the corporation board may further delegate authority to the regional affiliate board to take action on specific matters."

"**§323F-D Regional affiliate boards; transfer of custodial care of assets.** Upon its establishment, a regional affiliate board shall assume custodial care of all real property, including land, structures, and fixtures, and any other physical assets, such as personal property, including furnishings, equipment, and inventory, of the corporation within its region. No sale or encumbrance of any such real property or such other physical assets of the corporation shall be permitted without the mutual consent of the Hawaii health systems corporation board and the appropriate regional affiliate board.

SECTION 3. Section 26-5, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) Nothing in this section shall be construed as in any manner affecting the civil service laws applicable to the several counties, the judiciary, or the Hawaii health systems corporation[~~,~~] or its regional affiliate boards, which shall remain the same as if this chapter had not been enacted."

SECTION 4. Section 26-35.5, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) For purposes of this section, "member" means any person who is appointed, in accordance with the law, to serve on a temporary or permanent state board, including members of the local school board of any charter school established under chapter 302B, council, authority, committee, or commission, established by law or elected to the board of education, or the board of trustees of the employees' retirement system under section 88-24[~~;~~], or the corporation board of the Hawaii health systems corporation under section 323F-3 and its regional affiliate boards under section 323F-A; provided that "member" shall not include any person elected to serve on a board or commission in accordance with chapter 11 other than a person elected to serve on the board of education."

2. By amending subsection (e) to read:

"(e) The attorney general, or in the case of the board of regents of the University of Hawaii its university general counsel, or in the case of the board of directors of the Hawaii health systems corporation under section 323F-3 or its regional affiliate boards under chapter 323F-B, the attorneys retained by the board of directors of the Hawaii health systems corporation or its regional affiliate boards under section 323F-9, shall represent and defend a member in any civil action for which immunity is conferred under subsection (b), or when the attorney general, or, if the action involves a member of the board of regents, the university general counsel, or, if the action involves a member of the board of directors of the Hawaii health systems corporation or its regional affiliate boards, the attorneys retained by the board of directors of the Hawaii health systems corporation or its regional affiliate boards, determines that indemnification is available to the member under subsection (c), and the member against whom the action is brought has submitted a written request for representation and has provided the attorney general, [~~or~~] the university general counsel in the case of an action involving a member of the board of regents, or the attorneys retained by the board of directors of the Hawaii health systems corporation or its regional affiliate boards in the case of an action involving a member of the board of directors of the hawaii health systems corporation or its regional affilate boards with all process or complaint served upon the member within a reasonable period of time, but not more than five days after being served with the process or complaint. The attorney general, [~~or~~] the university general counsel, or an attorney retained by the board of directors of the

Hawaii health systems corporation may terminate the representation and defense of the member at any time if, after representation and defense is accepted, the attorney general, [~~or~~] the university general counsel, or an attorney retained by the board of directors of the Hawaii health systems corporation determines that indemnification would not be available to the member under subsection (c)."

SECTION 5. Section 28-8.3, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) No department of the State other than the attorney general may employ or retain any attorney, by contract or otherwise, for the purpose of representing the State or the department in any litigation, rendering legal counsel to the department, or drafting legal documents for the department; provided that the foregoing provision shall not apply to the employment or retention of attorneys:

(1) By the public utilities commission, the labor and industrial relations appeals board, and the Hawaii labor relations board;

(2) By any court or judicial or legislative office of the State;

(3) By the legislative reference bureau;

(4) By any compilation commission that may be constituted from time to time;

(5) By the real estate commission for any action involving the real estate recovery fund;

(6) By the contractors license board for any action involving the contractors recovery fund;

(7) By the trustees for any action involving the travel agency recovery fund;

(8) By the office of Hawaiian affairs;

(9) By the department of commerce and consumer affairs for the enforcement of violations of chapters 480 and 485;

(10) As grand jury counsel;

(11) By the Hawaiian home lands trust individual claims review panel;

(12) By the Hawaii health systems corporation, or its regional affiliate boards, or any of [~~its~~] their facilities;

(13) By the auditor;

(14) By the office of ombudsman;

(15) By the insurance division;

(16) By the University of Hawaii;

(17) By the Kahoolawe island reserve commission;

(18) By the division of consumer advocacy;

(19) By the office of elections;

(20) By the campaign spending commission;

(21) By the Hawaii tourism authority, as provided in section 201B-2.5; or

(22) By a department, in the event the attorney general, for reasons deemed by the attorney general good and sufficient, declines, to employ or retain an attorney for a department; provided that the governor thereupon waives the provision of this section."

2. By amending subsection (c) to read:

"(c) Every attorney employed by any department on a full-time basis, except an attorney employed by the public utilities commission, the labor and industrial relations appeals board, the Hawaii labor relations board, the office of Hawaiian affairs, the Hawaii health systems corporation[~~,~~] or its regional affiliate boards, the department of commerce and consumer affairs in prosecution of consumer complaints, insurance division, the division of consumer advocacy, the University of Hawaii, the Hawaii tourism authority as provided in section 201B-2.5, the Hawaiian home lands trust individual claims review panel, or as grand jury counsel, shall be a deputy attorney general."

SECTION 6. Section 29-24, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There is established in the state treasury an interagency federal revenue maximization revolving fund, into which shall be deposited all funds and proceeds collected from the federal government and third-party payors for costs not previously claimed by the State, with the exception of proceeds collected for services provided by the Hawaii health systems corporation[~~,~~] or its regional affiliate boards, for reimbursement of federally-funded state programs. For purposes of this chapter, federally-funded state programs include but shall not be limited to those federally-funded programs within the departments of human services and health, and shall not include the federally-funded program within the department of education as provided in [~~[~~]section[~~]~~] 302A-1406. Expenditures and transfers from the fund shall be made by the comptroller in proportional allocations established by the comptroller and the director of finance. Transfers shall be made to the department claiming the reimbursement for expenses incurred related to federal fund reimbursement claims and to the general fund of the State. Moneys in the fund may be expended for consultant services rendered under subsection (b)."

SECTION 7. Section 36-27, Hawaii Revised Statutes, is amended to read as follows:

"**§36-27 Transfers from special funds for central service expenses.** Except as provided in this section, and notwithstanding any other law to the contrary, from time to time, the director of finance, for the purpose of defraying the prorated estimate of central service expenses of government in relation to all special funds, except the:

(1) Special out-of-school time instructional program fund under section 302A-1310;

(2) School cafeteria special funds of the department of education;

(3) Special funds of the University of Hawaii;

(4) State educational facilities improvement special fund;

(5) Convention center enterprise special fund under section 201B-8;

(6) Special funds established by section 206E-6;

(7) Housing loan program revenue bond special fund;

(8) Housing project bond special fund;

(9) Aloha Tower fund created by section 206J-17;

(10) Funds of the employees' retirement system created by section 88-109;

(11) Unemployment compensation fund established under section 383-121;

(12) Hawaii hurricane relief fund established under chapter 431P;

(13) Hawaii health systems corporation special funds[~~;~~] and the subaccounts of its regional affiliate boards;

(14) Tourism special fund established under section 201B-11;

(15) Universal service fund established under chapter 269;

(16) Integrated tax information management systems special fund under section 231-3.2;

(17) Emergency and budget reserve fund under section 328L-3;

(18) Public schools special fees and charges fund under section 302A-1130(f);

(19) Sport fish special fund under section 187A-9.5;

(20) Neurotrauma special fund under section 321H-4;

(21) Deposit beverage container deposit special fund under section 342G-104;

(22) Glass advance disposal fee special fund established by section 342G-82;

(23) Center for nursing special fund under section [~~[~~]304A-2163[~~]~~];

(24) Passenger facility charge special fund established by section 261-5.5;

(25) Solicitation of funds for charitable purposes special fund established by section 467B-15;

(26) Land conservation fund established by section 173A-5;

(27) Court interpreting services revolving fund under section 607-1.5;

(28) Trauma system special fund under section 321-22.5;

(29) Hawaii cancer research special fund;

(30) Community health centers special fund; and

(31) Emergency medical services special fund[~~[~~];

shall deduct five per cent of all receipts of all other special funds, which deduction shall be transferred to the general fund of the State and become general realizations of the State. All officers of the State and other persons having power to allocate or disburse any special funds shall cooperate with the director in effecting these transfers. To determine the proper revenue base upon which the central service assessment is to be calculated, the director shall adopt rules pursuant to chapter 91 for the purpose of suspending or limiting the application of the central service assessment of any fund. No later than twenty days prior to the convening of each regular session of the legislature, the director shall report all central service assessments made during the preceding fiscal year.[~~]~~]"

SECTION 8. Section 36-30, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Each special fund, except the:

(1) Transportation use special fund established by section 261D-1;

(2) Special out-of-school time instructional program fund under section 302A-1310;

(3) School cafeteria special funds of the department of education;

(4) Special funds of the University of Hawaii;

(5) State educational facilities improvement special fund;

(6) Special funds established by section 206E-6;

(7) Aloha Tower fund created by section 206J-17;

(8) Funds of the employees' retirement system created by section 88-109;

(9) Unemployment compensation fund established under section 383-121;

(10) Hawaii hurricane relief fund established under chapter 431P;

(11) Convention center enterprise special fund established under section 201B-8;

(12) Hawaii health systems corporation special funds[~~;~~] and the subaccounts of its regional affiliate boards;

(13) Tourism special fund established under section 201B-11;

(14) Universal service fund established under chapter 269;

(15) Integrated tax information management systems special fund under section 231-3.2;

(16) Emergency and budget reserve fund under section 328L-3;

(17) Public schools special fees and charges fund under section 302A-1130(f);

(18) Sport fish special fund under section 187A-9.5;

(19) Neurotrauma special fund under section 321H-4;

(20) Center for nursing special fund under section [~~[~~]304A-2163[~~]~~];

(21) Passenger facility charge special fund established by section 261-5.5;

(22) Court interpreting services revolving fund under section 607-1.5;

(23) Trauma system special fund under section 321-22.5;

(24) Hawaii cancer research special fund;

(25) Community health centers special fund; and

(26) Emergency medical services special fund[~~[~~];

shall be responsible for its pro rata share of the administrative expenses incurred by the department responsible for the operations supported by the special fund concerned.[~~]~~]"

SECTION 9. Section 37-53, Hawaii Revised Statutes, is amended to read as follows:

"**§37-53 Transfer of special funds.** At any time during a fiscal year, notwithstanding any other law to the contrary, any department may, with the approval of the governor or the director of finance if so delegated by the governor, transfer from any special fund relating to such department to the general revenues of the State all or any portion of moneys determined to be in excess of fiscal year requirements for such special fund, except for special funds under the control of the department of transportation relating to highways, airports, transportation use, and harbors activities, special funds

under the control of the Hawaii health systems corporation[~~,~~] or subaccounts under the control of its regional affiliate boards, and special funds of the University of Hawaii. At any time the department of transportation, with the approval of the governor or the director of finance if so delegated by the governor, may transfer from any special fund under the control of the department of transportation, or from any account within any such special fund, to the general revenues of the State or to any other special fund under the control of the department of transportation all or any portion of moneys determined to be in excess of requirements for the ensuing twelve months determined as prescribed by rules adopted pursuant to chapter 91; provided that no such transfer shall be made which would cause a violation of federal law or federal grant agreements."

SECTION 10. Section 37-74, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) No appropriation transfers or changes between programs or agencies shall be made without legislative authorization; provided that:

(1) Authorized transfers or changes, when made, shall be reported to the legislature;

(2) Except with respect to appropriations to fund financing agreements under chapter 37D, the University of Hawaii shall have the flexibility to transfer appropriated funds and positions for the operating cost category among programs, among cost elements in a program, and between quarters, as applicable; except with respect to appropriations to fund financing agreements under chapter 37D, the department of education shall have the flexibility to transfer appropriated funds and positions for the operating cost category among programs and among cost elements in a program, and between quarters, as applicable; and the Hawaii health systems corporation and its regional affiliate boards shall have the flexibility to transfer special fund appropriations among community hospitals facilities as applicable[~~;~~] and as mutually agreed to by the corporation and the respective regional affiliate board; provided that the Hawaii health systems corporation and the regional affiliate boards shall maintain the integrity and services of each individual facility and shall not transfer appropriations out of any facility that would result in a reduction of services offered by the facility, with due regard for statutory requirements, changing conditions, the needs of the programs, and the effective utilization of resources; and

(3) The university and the department of education shall account for each transfer implemented under this subsection in quarterly reports to the governor and annual reports at the end of each fiscal year to the legislature and the governor, which shall be prepared in the form and manner prescribed by the governor and shall include information on the sources and uses of the transfer."

SECTION 11. Section 37D-1, Hawaii Revised Statutes, is amended by amending the definition of "agency" to read as follows:

""Agency" or "participating agency" means the judiciary, any executive department, any independent commission, any board, any authority, any bureau, any office, any other establishment of the State (except the legislature and its agencies), or any public corporation that is supported in whole or in part by state funds, or any agent thereof, authorized by law to expend available moneys; provided that the Hawaii health systems corporation and its regional affiliate boards shall not be governed by this chapter for any financing agreement unless it elects to [~~do so~~] be."

SECTION 12. Section 37D-2, Hawaii Revised Statutes, is amended to read as follows:

"**§37D-2 Financing agreements**. (a) There is hereby established and authorized the financing agreement program of the State. Any agency desiring to acquire or improve projects through the financing agreement program established and authorized by this chapter shall submit a written request to the department providing such information as the department shall require. Notwithstanding any other law to the contrary, and except for the Hawaii health systems corporation[~~,~~] and its regional affiliate boards, only with the approval by the attorney general as to form and legality and upon the written request of one or more participating agencies may the department enter into a financing agreement in accordance with this chapter, except that the board of regents of the University of Hawaii may enter into a financing agreement in accordance with this chapter without the approval of the director and of the attorney general as to form and legality if the principal amount of the financing agreement does not exceed $3,000,000. A financing agreement may be entered into by the department on behalf of one or more participating agencies at any time (before or after commencement or completion of any improvements or acquisitions to be financed) and shall be upon terms and conditions the department finds to be advantageous. In each case of a written request by the judiciary to participate in the financing agreement program, the department shall implement the request; provided that the related financing agreement shall be upon terms and conditions the department finds to be advantageous. Any financing agreement entered into by the department without the approval required by this section shall be void and of no effect. A single financing agreement may finance a single item or multiple items of property to be used by multiple agencies or may finance a single item or multiple items of property to be used by a single agency. The department shall bill any participating agency that benefits from property acquired with the proceeds of a financing agreement for such participating agency's pro rata share of:

(1) The department's costs of administration of the financing agreement program; and

(2) The financing costs, including the principal and interest components of the financing agreement and insurance premiums;

on a monthly or other periodic basis, and may deposit payments received in connection with the billings with a trustee as security for a financing agreement. Any participating agency receiving such a bill shall be authorized and shall pay the amounts billed from the available moneys.

(b) Financing agreements shall be subject to the following limitations:

(1) Amounts payable by a participating agency to or upon the direction of the department in respect to a project and by the department under a financing agreement shall be limited to available moneys. In no circumstance shall the department be obligated to pay amounts due under a financing agreement from any source other than available moneys. If, by reason of insufficient available moneys or other reason, amounts due under a financing agreement are not paid when due, the lender may exercise any property right that the department has granted to it in the financing agreement, against the property that was purchased with the proceeds of the financing agreement, and apply the amounts so received toward payments scheduled to be made by the department under the financing agreement;

(2) No property rights may be granted in property unless the property is being acquired, is to be substantially improved, is to be refinanced with the proceeds of a financing agreement, or is land on which the property is located;

(3) Notwithstanding any other law to the contrary, and except for the Hawaii health systems corporation and its regional affiliate boards, and as otherwise provided in this section with respect to the University of Hawaii, and except as provided in chapter 323F as to the Hawaii health systems corporation[~~,~~] and its regional affiliate boards, an agency shall not have the power to

enter into a financing agreement, except through the department as authorized by this chapter, and nothing in this chapter shall be construed to authorize the sale, lease, or other disposition of property owned by an agency;

(4) Except as otherwise provided in this section with respect to the University of Hawaii, the sale, assignment, or other disposition of any financing agreements, including certificates of participation relating thereto, shall require the approval of the director; and

(5) The department shall not be subject to chapter 103D and any and all other requirements of law for competitive bidding for financing agreements."

SECTION 13. Section 41D-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Any provision in this section to the contrary notwithstanding, the University of Hawaii (as to casualty insurance risks only), the Research Corporation of the University of Hawaii (as to casualty insurance risks only), [~~and~~] the public health facilities of the department of health (with respect to medical malpractice risks only), and the Hawaii health systems corporation and its regional affiliate boards shall be exempt from the requirements of this chapter."

SECTION 14. Section 102-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The bidding requirements of subsection (a) shall not apply to concessions or space on public property set aside for the following purposes:

(1) For operation of ground transportation services and parking lot operations at airports, except for motor vehicle rental operations under chapter 437D;

(2) For lei vendors;

(3) For airline and aircraft operations;

(4) For automatic teller machines and vending machines, except vending machines located at public schools operated by blind or visually handicapped persons in accordance with section 302A-412;

(5) For operation of concessions set aside without any charge;

(6) For operation of concessions by handicapped or blind persons; except concessions operated in the public schools by blind or visually handicapped persons in accordance with section 302A-412;

(7) For operation of concessions on permits revocable on notice of thirty days or less; provided that no such permits shall be issued for more than a one year period;

(8) For operation of concessions or concession spaces for a beach service association dedicated to the preservation of the Hawaii beachboy tradition, incorporated as a nonprofit corporation in accordance with state law, and whose members are appropriately licensed or certified as required by law;

(9) For operation of concessions at county zoos, botanic gardens, or other county parks which are environmentally, culturally, historically, or operationally unique and are supported, by nonprofit corporations incorporated in accordance with state law solely for purposes of supporting county aims and goals of the zoo, botanic garden, or other county park, and operating under agreement with the appropriate agency solely for such purposes, aims, and goals;

(10) For operation of concessions that furnish goods or services for which there is only one source, as determined by the head of the awarding government agency in writing that shall be included in the contract file; [~~and~~]

(11) For operation of concession or concession spaces at the convention center under chapter 201B[~~.~~]; and

(12) For any of the operations of the Hawaii health systems corporation and its regional affiliate boards."

SECTION 15. Section 103-53, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) This section shall not apply to:

(1) Any procurement of less than $25,000 or that is considered a small purchase under section 103D-305 and any state or county department contract of less than $25,000;

(2) Emergency purchases for the procurement of goods, services, or construction under section 103D-307, disaster relief under chapter 127, or a civil defense emergency under chapter 128;

(3) Grants and subsidies disbursed by a state agency pursuant to chapter 42F or in accordance with standards provided by law as required by article VII, section 4, of the State Constitution, or made by the counties pursuant to their respective charters or ordinances;

(4) Contracts or agreements between government agencies;

(5) Contracts or agreements to disburse funds:

(A) To make payments to or on behalf of public officers and employees for salaries, fringe benefits, professional fees, and reimbursements;

(B) To satisfy obligations required to be paid by law, including fees, judgments, settlements, and other payments for resolving claims;

(C) To make refunds or return funds held by the State or county as trustee, custodian, or bailee;

(D) For entitlement programs, including public assistance, unemployment, and workers' compensation programs, established by state or federal law;

(E) For deposit, investment, or safekeeping, including sums to pay expenses related to their deposit investment, or safekeeping;

(F) For loans under government-administered loan programs; or

(G) To make periodic, recurring payments for utility services; [~~and~~]

(6) Rent for the use or occupation of the premises and facilities at Aloha Stadium, the convention center, or any other state or county large spectator events facility[~~.~~]; and

(7) Contracts or agreements of the Hawaii health systems corporation and its regional affiliate boards."

SECTION 16. Section 323F-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

""Regional affiliate board" means a community-based governing board of directors of a region of the corporation."

SECTION 17. Section 323F-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Ten members of the corporation board shall be appointed by the governor [~~as follows:~~

~~(1) One member from region I who resides in the city and county of Honolulu;~~

~~(2) One member from region II who resides in the county of Kauai;~~

~~(3) One member from region III who resides in the county of Maui;~~

~~(4) One member from region IV who resides in the eastern section of the county of Hawaii;~~

~~(5) One member from region V who resides in the western section of the county of Hawaii;~~

~~(6) One member from region II who resides in the county of Kauai or from region III who resides in the district of Hana or on the island of Lanai; provided that in no event shall the member be appointed from the same region for two consecutive terms; and~~

~~(7) Four at-large members who reside in the State.~~

~~The eleventh member shall be the chairperson of the executive public health facility management advisory committee, who shall serve as an ex officio, voting member.~~] from the members of the regional affiliate boards of each region created pursuant to sections 323F-A and 323F-D, as follows:

(1) Two members of the regional affiliate board for region I who reside in the city and county of Honolulu;

(2) Two members of the regional affiliate board for region II who reside in the county of Kauai;

(3) Two members of the regional affiliate board for region III who reside in the county of Maui;

(4) Two members of the regional affiliate board for region IV who reside in the eastern section of the county of Hawaii; and

(5) Two members of the regional affiliate boards for region V who reside in the western section of the county of Hawaii.

The eleventh and twelfth [~~member,~~] members, who shall serve as [~~a~~] voting [~~member,~~] members, shall be [~~a physician~~] physicians with active medical staff privileges at one of the corporation's public health facilities. The physician [~~member~~] members shall each serve a term of two years. [~~The initial physician member shall be from region II, and subsequent physician members shall come from regions IV, III, and V respectively. The physician member position shall continue to rotate in this order.~~] The physician [~~member~~] members shall be appointed to the corporation board by a simple majority vote of the [~~members of the executive public health facility management advisory committee~~] corporation board from a list of qualified nominees submitted by the public health facility management advisory committee [~~for the region from which the physician member is to be chosen.~~] or by any regional affiliate board. The corporation board shall choose physicians from different regions and rotate the appointments among the five regions.

If for any reason a physician member is unable to serve a full term, the remainder of that term shall be filled by a physician from the same region.

The thirteenth member shall be the director of health or the director's designee, who shall serve as an ex officio, voting member.

Appointments to the corporation board, with the exception of the [~~chairperson of the executive public health facility management advisory committee and the regional~~] physician [~~member,~~] members appointed by the corporation board, shall be made by the governor, subject to confirmation by the senate pursuant to section 26-34. [~~Prior to the transfer date, the~~] The [~~public health facility management advisory committees~~] regional affiliate boards appointed [~~pursuant to section 323-66~~] for each [~~county~~] region may recommend names to the governor for each position on the corporation board designated for [~~a~~] the respective region [~~which corresponds to its county~~]. [~~After the transfer date, the public health facility management advisory committees appointed pursuant to section 323F-10 for each region may make such recommendations to the governor.~~] The appointed board members shall serve for a term of four years; provided that [~~upon the initial appointment of the first ten members:~~

~~(1) Two at-large members shall be appointed for a term of two years;~~

~~(2) Three at-large members shall be appointed for a term of three years; and~~

~~(3) Five regional members shall be appointed for a term of four years.~~] the first member appointed from each regional affiliate board shall be appointed for a term of two years.

Any vacancy shall be filled in the same manner provided for the original appointments[~~.~~], except where a public management advisory committee has been abolished, in which case, the regional affiliate board shall take the necessary action set forth in this subsection. The corporation board shall elect its own chair from among its members. Appointments to the corporation board shall be as representative as possible of the system's stakeholders as outlined in this subsection."

SECTION 18. Section 323F-4, Hawaii Revised Statutes, is amended to read as follows:

"**§323F-4 Board meetings.** (a) The corporation board shall meet no fewer than four times a year. The corporation board and each regional affiliate board shall be exempt from part I of chapter 92 and shall meet no fewer than six times a year; provided that the regional affiliate boards shall hold at least two public community meetings for the purpose of informing the community and taking comment on the region's performance. [~~All meetings of the corporation board shall be subject to chapter 92, except that in addition to matters exempted pursuant to law, the corporation board may elect to hold an executive meeting for the consideration of any matters set forth in section 323F-6.~~]

(b) All business of the corporation board and each regional affiliate board shall be conducted at a regular or special meeting at which a quorum is present, consisting of at least a majority of the directors then in office. Any action of the corporation board or each regional affiliate board shall require the affirmative vote of a majority of those present and voting at the meeting; except that a vote of two-thirds of the [~~members~~] entire membership of the [~~corporation~~] respective board then in office shall be required for any of the following actions:

(1) Removal by the corporation board or respective regional affiliate board of one of its members[~~, with the exception of the eleventh and twelfth members set forth in section 323F-3, who may only be removed pursuant to sections 323F-10 and 323F-10.5~~];

(2) Amendment by the corporation or a regional affiliate board of its bylaws;

(3) Hiring or removing the chief executive officer of the corporation[~~;~~] or regional chief executive officer; and

(4) Any other actions as provided by the corporation or regional affiliate board bylaws."

SECTION 19. Section 323F-5, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]§323F-5[~~]~~] **Disclosure of interests.** All corporation and regional affiliate board members and employees of the corporation shall be subject to chapter 84."

SECTION 20. Section 323F-6, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]§323F-6[~~]~~] **Records.** The corporation and each regional affiliate board shall be subject to the requirements of chapter 92F, except that the following categories of government records shall not be required to be disclosed:

(1) Applications for credentials or staff privileges at any of the corporation's medical facilities, records from peer review proceedings, and medical records; and

(2) Marketing strategies, strategic plans, evaluations, assessments, negotiations, or rates and charges, the disclosure of which would raise the cost of procurement or give a manifestly unfair advantage to any competitor or to any person or entity seeking to do business or proposing to enter into an agreement with a regional affiliate board, the corporation, or any of its facilities.

Any person denied access to any such government records shall have available the remedies specified in sections 92F-15 and 92F-15.5. Government records protected from disclosure by this section shall be subject to the interagency disclosure provisions of section 92F-19. Section 624-25.5 shall apply to this part notwithstanding anything to the contrary contained in this section."

SECTION 21. Section 323F-7, Hawaii Revised Statutes, is amended to read as follows:

"**§323F-7 Duties and powers of the corporation[~~.~~] and regional affiliate boards.** (a) Notwithstanding any other law to the contrary[~~,~~] and unless otherwise specified, only those duties and powers related to corporation-wide matters, including but not limited to corporation-wide budgeting, personnel policies, procurement policies, fiscal policies, accounting policies, policies related to affiliations, joint ventures and contracts, regulatory compliance, risk management, strategic planning, and capital planning, including the issuance of revenue bonds in any amount, shall be carried out by the corporation [~~shall have and exercise the following duties~~] board. Duties and powers[~~:~~] related to the operation of facilities within each region, including but not limited to regional and facility budgeting, employment and removal of regional and facility personnel, purchasing, regional strategic and capital planning, organization, quality assurance, improvement and reporting, credentialing of medical staff, and the issuance of revenue bonds in any amount with corporation board approval, shall be carried out by the regional affiliate boards, either directly or by delegation to regional and facility administration. Unless otherwise prohibited, the duties and powers granted to the corporation board may be delegated to the regional affiliate boards.

(b) Notwithstanding any other law to the contrary, the corporation, either directly or through any of the regional affiliate boards, shall exercise the following duties and powers:

(1) Developing [~~its own~~] corporation-wide policies, procedures, and rules necessary or appropriate to plan, operate, manage, and control the system of public health facilities and services without regard to chapter 91; provided that each regional affiliate board shall be responsible for its own policies, procedures, and rules necessary or appropriate to plan, operate, manage, and control the public health facilities within its own region consistent with corporate policies;

(2) Evaluating the need for additional health facilities and services; provided that each regional affiliate board shall be responsible for the evaluation within its own region;

(3) Entering into and performing any contracts, leases, cooperative agreements, partnerships, or other transactions whatsoever that may be necessary or appropriate in the performance of its purposes and responsibilities, and on terms [~~it~~] the corporation, with agreement of the affected regional affiliate boards, may deem appropriate, with either:

(A) Any agency or instrumentality of the United States, or with any state, territory, or possession, or with any subdivision thereof; or

(B) Any person, firm, association, partnership, or corporation, whether operated on a for-profit or not-for-profit basis; provided that the transaction furthers the public interest;

(4) Conducting activities and entering into business relationships as the corporation board, with the agreement of the affected regional affiliate boards, deems necessary or appropriate, including but not limited to:

(A) Creating nonprofit corporations, including but not limited to charitable fund-raising foundations, to be controlled wholly by the corporation, any regional affiliate board, or jointly with others;

(B) Establishing, subscribing to, and owning stock in business corporations individually or jointly with others; and

(C) Entering into partnerships and other joint venture arrangements, or participating in alliances, purchasing consortia, health insurance pools, or other cooperative arrangements, with any public or private entity; provided that any corporation, venture, or relationship entered into under this section furthers the public interest; provided further that this paragraph shall not be construed to authorize the corporation or a regional affiliate board to abrogate any responsibility or obligation under paragraph (15);

provided that each regional affiliate board shall be responsible for conducting the activities under this paragraph in its own region consistent with policies established by the corporation board;

(5) Participating in and developing prepaid health care service and insurance programs and other alternative health care delivery programs, including programs involving the acceptance of capitated payments or premiums that include the assumption of financial and actuarial risk; provided that each regional affiliate board shall be responsible for conducting the activities under this paragraph in its own region consistent with policies established by the corporation board;

(6) Executing, in accordance with all applicable bylaws, rules, and laws, all instruments necessary or appropriate in the exercise of any powers of the [~~corporation's powers;~~] corporation or regional affiliate boards;

(7) Preparing and executing all [~~corporation~~] corporation-wide budgets, policies, and procedures[~~;~~] or any regional budgets, policies, and procedures; provided that the regional affiliate boards shall submit their regional and facility budgets to the corporation to be consolidated into a corporation-wide budget for purposes of corporation-wide planning and appropriation requests;

(8) Setting rates and charges for all services provided by the corporation without regard to chapter 91; provided that the duty and power of the corporation board shall be limited to approving the rates and charges developed by the regional affiliate boards for the region's facilities and services. A region's rates and charges shall be consolidated with the rates of other regions into one charge master. Third-party payor contracts may be negotiated at the corporation-wide level with input from the regions, taking into consideration the rates set by the regional affiliate boards;

(9) Developing a corporation-wide hospital personnel system that is subject to chapters 76 and 89; provided that employment of regional and facility personnel shall be the responsibility of the regional affiliate boards pursuant to corporation-wide policies and procedures, applicable laws, rules, and regulations, and applicable collective bargaining agreements;

(10) Developing the corporation's corporation-wide capital and strategic plans[;] or any regional affiliate board's regional capital and strategic plans; provided that each regional affiliate board shall be responsible for development of capital and strategic plans in its own region that shall be consistent with, and incorporated into, the overall corporation-wide plans;

(11) Suing and being sued; provided that the corporation and the regional affiliate boards shall enjoy the same sovereign immunity available to the State;

(12) Making and altering corporation board and regional affiliate board bylaws for its organization and management without regard to chapter 91[;] and consistent with this chapter; provided that each regional affiliate board shall be responsible for the final approval of its regional affiliate board bylaws;

(13) Adopting rules[,] without regard to chapter 91[,] governing the exercise of [~~its~~] the corporation's or regional affiliate boards' powers and the fulfillment of its purpose under this chapter;

(14) Entering into any contract or agreement whatsoever, not inconsistent with this chapter or the laws of this State, and authorizing the corporation, regional affiliate boards, and chief executive [~~officer~~] officers to enter into all contracts, execute all instruments, and do all things necessary or appropriate in the exercise of the powers granted in this chapter, including securing the payment of bonds; provided that the regional affiliate boards shall be responsible for entering into contracts and executing all instruments relating to matters exclusively affecting its region consistent with corporation-wide policies;

(15) Issuing revenue bonds subject to the approval of the legislature; provided that all revenue bonds shall be issued pursuant to part III, chapter 39; provided further that the corporation shall have the power to incur debt, including the issuance of revenue bonds in any amount, and the regional affiliate boards shall have the power to issue revenue bonds in any amount upon approval by the corporation board;

(16) Reimbursing the state general fund for debt service on general obligation bonds or reimbursable general obligation bonds issued by the State for the purposes of the corporation[;] or any regional affiliate board;

(17) Pledging or assigning all or any part of the receipts and revenues of the corporation or the regional affiliate boards for purposes of meeting bond or health systems liabilities;

(18) Owning, purchasing, leasing, exchanging, or otherwise acquiring property, whether real, personal or mixed, tangible or intangible, and of any interest therein, in the name of the corporation, which property is not owned or controlled by the State but is owned or controlled by the corporation; provided that the corporation shall delegate custodial control over such property to a regional affiliate board in any region where policies have been established consistent with corporate policies regarding the management of the property;

(19) Maintaining, improving, pledging, mortgaging, selling, or otherwise holding or disposing of property, whether real, personal or mixed, tangible or intangible, and of any interest therein, at any time and manner, in furtherance of the purposes and mission of the corporation[;] or any regional affiliate board; provided that the corporation legally holds or controls the property in its own name; provided further that the corporation or any regional affiliate board shall not sell, assign, lease, hypothecate, mortgage, pledge, give, or dispose of all or substantially all of its property; and provided further that the corporation shall delegate control over such property to the regional affiliate board in any region where policies consistent with corporation-wide policies have been established implementing this subsection;

(20) Purchasing insurance and creating captive insurers in any arrangement deemed in the best interest of the corporation, including but not limited to funding and payment of deductibles and purchase of reinsurance; provided that only the corporation shall have the power to create captive insurers to benefit public health facilities and operations; and provided further that a regional affiliate board may purchase insurance for its region in collaboration with the other regions and the corporation until captive coverage is provided by the corporation;

(21) Acquiring by condemnation, pursuant to chapter 101, any real property required by the corporation to carry out the powers granted by this chapter;

(22) Depositing any moneys of the corporation in any banking institution within or without the State, and appointing, for the purpose of making deposits, one or more persons to act as custodians of the moneys of the corporation[;]; provided that regional affiliate boards may deposit moneys in banking institutions pursuant to corporation-wide guidelines established by the corporation board;

(23) Contracting for and accepting any gifts, grants, and loans of funds, property, or any other aid in any form from the federal government, the State, any state agency, or any other source, or any combination thereof, and complying, subject to this chapter, with the terms and conditions thereof; provided that the regional affiliate boards shall be responsible for contracting for and accepting any gifts, grants, loans, property, or other aid if intended to benefit the public health facilities and operations exclusively in their respective regions;

(24) Providing health and medical services for the public directly or by agreement or lease with any person, firm, or private or public corporation, partnership, or association through or in the health facilities of the corporation or regional affiliate boards or otherwise; provided that the regional affiliate boards shall be responsible for conducting the activities under this paragraph in their respective regions;

(25) Approving medical staff bylaws, rules, and medical staff appointments and reappointments for all public health facilities[,] of the corporation or any regional affiliate board, including [~~without limitation,~~] but not limited to determining the conditions under which a health professional may be extended the privilege of practicing within a health facility, as determined by the respective regional affiliate board and consistent with corporate-wide policies, and adopting and implementing reasonable rules, without regard to chapter 91, for the credentialing and peer review of all persons and health professionals within the facility; provided that regional affiliate boards shall be the governing body responsible for all

medical staff organization, peer review, and credentialing activities to the extent allowed by law;

(26)(A) Investing any funds not required for immediate disbursement in property or in securities that meet the standard for investments established in chapter 88 as provided by the corporation board; provided the investment assists the corporation in carrying out its public purposes; selling from time to time securities thus purchased and held, and depositing any securities in any bank or financial institution within or without the State. Any funds deposited in a banking institution or in any depository authorized in this section shall be secured in a manner and subject to terms and conditions as the corporation board may determine, with or without payment of any interest on the deposit, including[,] without limitation[,] time deposits evidenced by certificates of deposit. Any bank or financial institution incorporated under the laws of this State may act as depository of any funds of the corporation or a regional affiliate board and may issue indemnity bonds or may pledge securities as may be required by the corporation or regional affiliate board; provided that regional affiliate boards may exercise the powers under this subsection with respect to financial assets of the region consistent with corporation-wide policies; and

(B) Notwithstanding subparagraph (A), contracting with the holders of any of its notes or bonds as to the custody, collection, securing, investment, and payment of any moneys of the corporation or regional affiliate board and of any moneys held in trust or otherwise for the payment of notes or bonds and carrying out the contract. Moneys held in trust or otherwise for the payment of notes or bonds or in any way to secure notes or bonds, and deposits of such moneys, may be secured in the same manner as moneys of the corporation[,] or regional affiliate board, and all banks and trust companies are authorized to give security for the deposits;

(27) Entering into any agreement with the State, including but not limited to contracts for the provision of goods, services, and facilities in support of the corporation's programs[,] or the regional affiliate boards' programs, and contracting for the provision of services to or on behalf of the State; provided that the regional affiliate boards shall be responsible for entering into agreements to provide goods, services, and facilities in support of programs in their respective regions consistent with corporation-wide policies;

(28) Having a seal and altering the same at pleasure;

(29) Waiving, by means that the corporation or regional affiliate board deems appropriate, the exemption from federal income taxation of interest on the corporation's or regional affiliate boards' bonds, notes, or other obligations provided by the Internal Revenue Code of 1986, as amended, or any other federal statute providing a similar exemption;

(30) Developing internal policies and procedures for the procurement of goods and services, consistent with the goals of public accountability and public procurement practices[;] and subject to chapter 103D but enjoying the exemption under section 103-53(e); provided that the regional affiliate boards shall be responsible for developing internal policies and procedures for each of their regions consistent with the corporation's policies and procedures;

(31) Authorizing and establishing positions; provided that regional affiliate boards shall be responsible for hiring and firing regional and facility personnel consistent with corporation policies, except a regional chief executive officer shall only be hired or dismissed upon the approval of the regional affiliate board and the corporation board;

[~~(32) Calling upon the attorney general for such legal services as the corporation may require; and~~

~~(33)~~] (32) Having and exercising all rights and powers necessary or incidental to or implied from the specific powers granted in this chapter, which specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this chapter[.]; provided that the regional affiliate boards shall be responsible for having and exercising all powers and rights with respect to matters in their regions consistent with the law; and

(33) Each region, through its regional affiliate board, shall:

(A) Develop policies and procedures necessary or appropriate to plan, operate, manage, and control the day-to-day operations of facilities within the region that are consistent with corporation-wide policies;

(B) Exercise custodial control over and use of all assets of the corporation that are located in the region pursuant to this chapter; and

(C) Expend funds within its approved regional budget and expend additional funds in excess of its approved regional budget upon approval of the corporation board.

[~~(b)~~](c) The corporation and each regional affiliate board shall not be subject to chapters 36 to 38, 40, and 41D, and shall enjoy the exemptions contained in sections 102-2 and 103-53(e), except as otherwise provided in this chapter.

[~~(c)~~](d) The duties and powers granted to the corporation or any regional affiliate board may not be used to enter into contractual or business relationships [~~which~~] that have the practical effect of allowing or are intended to allow [~~the private sector~~] private-sector counterparts to replace existing employee positions or responsibilities within the corporation, regions, or its facilities; provided the corporation or regional affiliate boards shall be allowed to enter into such relationships to the extent and for the purposes that the division of community hospitals could have done under collective bargaining contracts [~~which~~] that were in effect for the 1995-1996 fiscal year."

SECTION 22. Section 323F-8, Hawaii Revised Statutes, is amended to read as follows:

"**§323F-8 Chief executive officer; exempt positions.** (a) The corporation board may appoint, exempt from chapter 76 and section 26-35(a)(4), a chief executive officer of the corporation whose salary shall be set by the corporation board. The chief executive officer may also appoint up to eighteen other personnel, exempt from chapters 76 and 89, to work directly for the chief executive officer and the corporate board.

(b) The corporation board or its designee may discharge its exempt personnel with or without cause; provided that removal without cause shall not prejudice any contract rights of personnel.

(c) The corporation's chief executive officer or the chief executive officer's designee may appoint, exempt from chapters 76 and 89, hospital administrators, assistant administrators, directors of nursing, medical directors, and staff physicians, to facilitate the management of facilities within the corporation; provided that directors of nursing appointed before July 1, 1998, may maintain their civil service status as provided in chapter 76 by so communicating in writing to the chief executive officer by October 31, 1998. Hospital administrators and assistant administrators appointed before July 1, 1983, may maintain their permanent civil service status as provided in chapter 76.

(d) Hiring, firing, compensation packages, and other personnel actions of employees not covered by chapter 76 and 89 shall be governed by policies and guidelines established by the corporation.

(e) Upon the establishment of a regional affiliate board, the authority to appoint regional hospital administrators, assistant administrators, directors of nursing, medical directors, and staff physicians under subsection (c) shall be superseded by section 323F-B for that region. No incumbent personnel shall lose a position without specific action taken by the regional affiliate board."

SECTION 23. Section 323F-9, Hawaii Revised Statutes, is amended to read as follows:

"[~~f~~]**§323F-9**[~~:~~] **Hiring of attorneys.** The corporation and regional affiliate boards may employ or retain any attorney, by contract or otherwise, for the purpose of representing the corporation or regional affiliate boards in any litigation, rendering legal counsel [~~to~~], or drafting legal documents for the corporation[~~, or drafting legal documents for the~~] or regional affiliate boards."

SECTION 24. Section 323F-10, Hawaii Revised Statutes, is amended to read as follows:

"**§323F-10 Regional public health facility management advisory committees.** (a) On the transfer date, there shall be established within the corporation for each region, a public health facility management advisory committee to consist of nine members initially to be appointed by the chief executive officer of the corporation with the advice of the hospital administrators of the facilities in the affected regions. The members shall serve for a term of four years; provided that upon the initial appointment of the members, two shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and three for a term of four years.

Following the initial appointments by the chief executive officer of the corporation board, any vacancies on a regional committee shall be filled by a simple majority vote of the members of the executive committee from a list of qualified nominees submitted by the regional committee in which the vacancy occurred. If a regional committee vacancy remains unfilled for more than thirty days, that vacancy may be filled by the chief executive officer of the corporation.

Each regional management advisory committee shall include medical and health care providers, consumers, and knowledgeable individuals in other appropriate areas such as business and law; provided that at least one member shall be a physician with active medical staff privileges at one of the region's public health facilities. At least three members of the committee shall be consumers.

The management advisory committee for the East Hawaii region shall have three members who reside in the Ka'u district, three members who reside in the Hamakua/North Hilo districts, and three members who reside in the South Hilo/Puna districts. The management advisory committee for the West Hawaii region shall have not less than three members who reside in the North Kohala/South Kohala districts.

Each regional committee shall select its own chairperson and vice chairperson and shall adopt rules governing the terms for removal of its chairperson from the executive management advisory committee. In the event of a regional committee voting to remove its chairperson who concurrently sits on the corporation board, that vote shall be unanimous. In the event of a regional committee voting to remove its physician member from the corporation board, that vote shall also be unanimous. Each regional committee may also adopt other rules as it may consider necessary for the conduct of its business.

The members of the regional committees shall serve without compensation, but shall be reimbursed for traveling expenses incurred in the performance of their duties. The corporation shall provide for the necessary expenses of the committees; provided that no expenses may be incurred without prior authorization by the chief executive officer.

(b) Each regional committee shall sit in an advisory capacity to the chief executive officer on matters concerning the formulation of regional operational and capital improvement budgets, and the planning, construction, improvement, maintenance, and operation of public health facilities within its respective jurisdiction and shall sit in an advisory capacity to the governor on matters concerning the nominees for positions on the corporation board. Nothing in this section shall be construed as precluding or preventing the committees from coordinating their efforts and activities with the facility administrators within their counties.

(c) Each regional committee may prepare a report for inclusion with the corporation's annual report and audit, which shall include but not be limited to comments and analyses on the corporation's regional operational and capital improvement budgets for its respective region.

(d) Upon the establishment of a regional affiliate board for a region pursuant to section 323F-A this section shall no longer apply to that region."

SECTION 25. Section 323F-10.5, Hawaii Revised Statutes, is amended to read as follows:

"[~~f~~]**§323F-10.5**[~~:~~] **Executive public health facility management advisory committee; establishment.** (a) There is established within the corporation an executive public health facility management advisory committee to consist of the chairpersons of each of the five regional public health facility management advisory committees. The executive committee shall, through its chairperson, represent the interests of all regional committees on the corporation board.

(b) The executive committee shall select its own chairperson to serve on the corporation board and shall adopt rules governing the terms of office and removal from the corporation board. The executive committee shall also adopt rules governing the terms of office for each of the five regional committee chairpersons. The executive committee may also adopt other rules as it may consider necessary for the conduct of its business.

(c) The members of the executive committee shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in the performance of their duties.

(d) Upon the establishment of a regional affiliate board for a region pursuant to section 323F-A this section shall no longer apply to that region."

SECTION 26. Section 323F-10.6, Hawaii Revised Statutes, is amended to read as follows:

"[~~f~~]**§323F-10.6**[~~:~~] **Peer review and credentialing.** [~~Corporation board or other committee meetings pertaining to peer review and credentialing matters shall not be subject to part I of chapter 92.~~] Peer review activities shall be subject to [~~the provisions of~~] chapters 663 and 671D and all other provisions and restrictions of medical peer review committees established by state law."

SECTION 27. Section 323F-11, Hawaii Revised Statutes, is amended to read as follows:

"[~~f~~]**§323F-11**[~~:~~] **Executive branch; noninterference.** Notwithstanding any other law to the contrary, the governor and executive branch agencies shall limit their responsibilities to that of review and oversight when the corporation or regional affiliate board receives general funds from the State to subsidize the operating budgets of deficit facilities. The governor and executive branch agencies shall not interfere with the systemic change, capacity

building, advocacy, budget, personnel, system plan development, or plan implementation activities of the corporation. The governor and executive branch agencies shall not interfere with the ability of the corporation or regional affiliate board to function as a multiple facility public hospital system delivering health care services to the residents of the State."

SECTION 28. Section 323F-21, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]§323F-21[~~]~~] **Fiscal provisions.** (a) There is created in the state treasury a special fund to be known as the health systems special fund, into which shall be deposited all fees, proceeds, reimbursements, and the like owed to or received by the corporation and its facilities, except as herein provided. There shall be established within the special fund regional subaccounts for each regional affiliate board upon its establishment. The special fund and the regional subaccounts shall be used solely to fulfill the purposes outlined in this chapter.

The corporation and each regional affiliate board may establish and maintain, within [~~its~~] the health systems special fund[~~,~~] or any regional subaccount, any other accounts that may be necessary and appropriate to carry out its purposes and responsibilities.

The corporation and regional affiliate boards may provide reasonable reserves for any of the following purposes:

(1) Insurance deductibles;

(2) The improvement, replacement, or expansion of [~~its~~] their facilities or services;

(3) The securing of the corporation's or regional affiliate boards' bonds, notes, or other instruments of indebtedness; or

(4) Any other purpose [~~it~~] the corporation or regional affiliate board deems necessary or appropriate in the performance of [~~its~~] their purposes and responsibilities.

(b) The corporation board and regional affiliate boards shall collaboratively develop budgetary guidelines and annual operating and capital budgets for each facility[~~.~~], taking into account anticipated surpluses from or subsidies to the facilities pursuant to the annual guidelines described in this section, accumulated corporation and regional reserves and accounts, subsidies, if any, that are determined to be needed from the general fund, and other sources of corporation-wide and regional income as may be identified. Two-year budgets will be approved for regional affiliate boards, in alignment with State of Hawaii biennium budgeting. The corporate board shall not alter the two-year budget of a region except:

(1) Where state general funding is reduced;

(2) There is an emergency; or

(3) There is a renegotiated budget approved by a regional affiliate board.

The corporation and regional affiliate boards shall collaboratively develop budgetary guidelines, and [~~may allocate to~~] negotiate with each facility reasonable corporation administrative costs, including funds determined by the corporation or any regional affiliate board to be needed from or provided to each facility to:

(1) Repay corporation or regional affiliate board debts;

(2) Provide subsidies to any facility determined to be unable to fund from within that facility's programs and services deemed essential to community needs; and

(3) Maintain appropriate reserves.

(c) The corporation and regional affiliate boards shall collaboratively develop annual corporation operating and capital budgets, taking into account anticipated surpluses from or subsidies to the facilities pursuant to the annual guidelines described in this section, accumulated corporation reserves and accounts, subsidies, if any, that are determined to be needed from the general fund, and other sources of corporation-wide income as may be identified.

(d) Beginning with the first of the legislative biennium budget years following the establishment of a regional affiliate board, and for each biennium period thereafter, the corporation shall call together all the regions through representatives selected by each regional affiliate board, and the chairs of the facility management advisory committees, if any, to determine which services and functions should be provided by the corporation for the next biennium budget period, consistent with this chapter. As part of the biennium budgeting process, the corporation board and the representatives of each region working through the corporation board regional representatives, shall agree upon an allocation methodology for funding the agreed upon and statutorily created corporate services and functions.

[~~(d)~~](e) The corporation may share in any facility's surplus and may offset any facility's deficits[~~.~~] as provided herein. Any regional affiliate board shall share in the surplus of any facility within the its region and shall offset any facility deficits within its region. Operating surpluses of the regional affiliate board shall be reinvested in the operations of that region in any prudent manner; provided that upon request, and subject to authorization by the regional affiliate board, the regional affiliate board may share its surplus or resources with a facility outside of the region to benefit the corporation-wide system of health care. Obligations undertaken by a facility shall be paid only from funds of that facility, unless the corporation board, the regional affiliate board managing the facility, or [~~its~~] an authorized agent explicitly agrees to guarantee the obligation. Loans and other transfers may be made between regions upon approval of the affected regional affiliate boards to assist in the cash flow and operations of the public health facilities.

[~~(e)~~](f) In accordance with each annual facility budget, and subject to policies established by the corporation board, each facility of the corporation and regional affiliate board, shall:

(1) Bill and collect for its services;

(2) Maintain bank accounts; and

(3) Pay for needed personnel, supplies, equipment, and other operational and capital expenditures.

[~~(f)~~](g) The corporation and each regional affiliate board, subject to policies established by the corporation and each regional affiliate board, may elect to manage its own capital improvement project and funds, either directly or indirectly by contract; provided that annual reports of the project moneys are provided to the governor and legislature.

(g) The corporation board regional affiliate boards may hold public informational meetings on [~~its budget~~] their budgets. Representatives of any county government, state government, or any other person having an interest in the budget, shall have the right to be heard at the meetings."

SECTION 29. Section 323F-22, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]§323F-22[~~]~~] **Annual audit and report; disclosure of revenue projections.** (a) The corporation shall engage a certified public accountant to conduct an annual audit of its financial affairs, books, and records in accordance with generally accepted accounting principles. The corporation may, in consultation with a regional affiliate board, permit or require a regional affiliate board to retain an audit firm to conduct an independent audit of the region. The

corporation shall submit to the governor and the legislature within one hundred fifty days after the close of the corporation's fiscal year, a report that shall include the audited financial report for that fiscal year[.] for the corporation and each region.

(b) In addition to the submittal of the audit required under subsection (a), the corporation, in cooperation with the regional affiliate boards, shall submit a report to the legislature at least twenty days prior to the convening of each regular session that shall include but not be limited to:

(1) The projected revenues for each health care facility;

(2) A list of all proposed capital improvement projects planned for implementation during the following fiscal year; and

(3) All reports submitted by regional public health facility management advisory committees pursuant to section 323F-10(c).

(c) The regional affiliate boards shall prepare a report for inclusion with the corporation's annual report and audit."

SECTION 30. Section 323F-23, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]**§323F-23**[~~]~~] **Exemption from taxation.** The corporation and each regional affiliate board shall [~~not~~] be [~~required to pay assessments~~] exempt from paying any:

(1) Assessments levied by any county[~~, nor shall the corporation be required to pay state~~]; and

(2) State taxes of any kind."

SECTION 31. Section 323F-24, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]**§323F-24**[~~]~~] **Budget oversight.** The corporation's and each regional affiliate board's operating and capital improvement budgets shall not be subject to review or approval by the governor or any state agency, except where state general funds or capital improvement moneys are requested. If general funds or capital improvement moneys are requested, then the corporation or any regional affiliate board shall include with its request, the proposed budget for which the funds or moneys are to be included. The corporation and regional affiliate boards, once operational, shall collaboratively submit [~~its~~] their budgets annually to the legislature for review and approval at least twenty days prior to the convening of the regular legislative session, beginning with the budgets for the [~~1997-1998~~] 2010-2011 biennium fiscal years."

SECTION 32. Section 323F-31, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The corporation and each regional affiliate board shall notify the legislature of any planned substantial reduction or elimination of direct patient care services."

SECTION 33. (a) It is the intent of this Act that the ability of the Hawaii health systems corporation to carry out its mission and improve the quality and efficiency of care in all of its regions will be enhanced by the delegation to community-based, regional affiliate boards the custodial control over the assets, personnel, services and operations of the corporation located in the public health facilities, consistent with system-wide planning, policies, and guidelines. Such custodial control shall be delegated to the regional governing boards in any region in which such boards are created within a reasonable period of time following the effective date of section 2 of this legislation. This Act shall be construed with this intent.

(b) Following a transition period of no longer than one year after the establishment of each regional affiliate board, and by mutual agreement, the governance and custodial control over the assets, personnel, services, and operations of the Hawaii health systems corporation with regard to the facilities within the region, shall be transferred to the regional affiliate board, consistent with system-wide planning, policies, and guidelines, and applicable laws and regulations. The corporation and newly established regional affiliate boards shall report to the legislature within thirty days of the establishment of the newly created boards. The corporation shall assist any region considering such a request. Each transition shall take no longer than one year, unless a longer period is mutually agreed to by the corporation and the region.

(c) Custodial control of the assets, including but not limited to hospital funds relating to health facilities in each region, shall be given to the regional affiliate board at such time as the regional affiliate board is established and notifies the corporate board that it has established necessary policies and structure to accept the responsibility of controlling the assets. Upon establishment, the regional affiliate board shall assume the responsibility of the Hawaii health systems corporation board with respect to the corresponding region for the administration of all contracts, agreements, and leases for commodities, services, property, and supplies used by the Hawaii health systems corporation and its facilities in that region, subject to oversight by the corporation board.

SECTION 34. There is appropriated out of the general revenues of the state of Hawaii the sum of $500,000, or so much thereof as may be necessary for fiscal year 2007-2008, and the same sum, or so much thereof as may be necessary for fiscal year 2008-2009 to support the establishment of regional affiliate boards of the Hawaii health systems corporation. The sums appropriated shall be expended by the Hawaii health systems corporation for the purposes of this Act.

SECTION 35. All acts passed prior to or during this regular session of 2007, whether enacted before or after passage of this Act shall be interpreted to conform to this Act, unless the acts specifically provide that this Act is being amended. In so far as this Act is inconsistent with any other law, this Act shall control.

SECTION 36. In codifying the new sections added by section 2 of this Act, the reviser of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 37. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 38. This Act shall take effect upon its approval; provided that sections 2, 17, and 18 shall take effect on July 1, 2008."

Representative Morita moved that Floor Amendment No. 11 be adopted, seconded by Representative Takamine.

Representative Morita rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker, I introduce this floor amendment with some anxiety. I had hoped that throughout my many years in this body that there would be some amicable resolution to the Maui Memorial Hospital's relationship within the Hawaii Health Systems Corporation. Unfortunately, there has not been. However, the underlying bill jeopardizes the entire system statewide, especially my island of Kauai at a time when Hawaii's statewide health safety net is at its most vulnerable and resources from the State may become scarcer.

"This floor amendment offers a compromise position establishing community based governance for the five regions of the HHSC system. These boards will not be separate legal entities, but under one umbrella, hopefully, to preserve the benefits of maintaining the HHSC as a system associated with economies of scale.

"Mr. Speaker, let me explain some of the details of the floor amendment. One, it forms an 11 member regional affiliate boards which would be established for each of the five regions of the HHSC system. The 13 member HHSC board would be reconstructed as bottom up, rather than top down. Regional boards would be granted custodial control and substantial responsibility for management of the facilities and other assets in each respective region. Each regional board would be empowered to appoint the regional CEO subject to the approval of the HHSC board. If the HHSC board is unable to act on important transactions in a timely manner, the chair of the HHSC board may further delegate authority to the regional affiliate board to take action on specific matters.

"The HHSC board would be granted duties and powers related to corporation-wide budgeting personnel policies, procurement policies, strategic planning and the development of a system-wide policies related to such matters as affiliations, multi-system and corporate office contracts, joint venture, regulatory compliance, collective bargaining, personnel, risk management, including insurance, and capital planning.

"Regional boards are granted a wide range of powers and duties. The regional boards would be responsible for developing facility and regional budgets. Revenues generated by a region will remain in that region, while each region will also be responsible for taking steps to address unbudgeted deficits, loan and other transfers of money between regions would be statutorily permitted upon approval of the regional boards. Strategic and capital plans would be developed at the regional level.

"HHSC and its regions will be subject to the procurement code. The regions would collaboratively assist in determining the services to be provided at the corporate level and methodology for determining allocations of administrative cost. Each regional board shall be responsible for all medical staff organization and there is an appropriation in this bill to carry out this transformation.

"Again, I want to stress that what this floor amendment will do is provide a reasonable restructuring of the system that was anticipated and offered as a type of governance when we moved back in, I believe it was 1996 or 1997, to look at this statewide system. I think it brings the House to a strong position as we move to Conference in offering a reasonable compromise to restructure this system.

"Also, Mr. Speaker, I would like to submit for the record a letter received from Larry Gage, President of the National Association of Public Hospitals and Health Systems outlining the problems with the underlying bill and what this floor amendment is striving to preserve in the statewide system. Thank you, Mr. Speaker."

Representative Morita submitted the following letter:

"TO THE HAWAII STATE LEGISLATURE:

I am writing to urge you to vote no on S.B. 1792 in its current form. S.B. 1792 would effectively dismantle an important and valuable system that has strengthened Hawaii's statewide health safety net for the past decade.

As President of the National Association of Public Hospitals and Health Systems, I have been closely involved with the Hawaii Health Systems Corporation (HHSC) and its predecessor organization, the Division of Community Hospitals, for over 20 years. In the early 1990s, I was asked to serve as consultant to the Governor's task force whose recommendations led to the creation of HHSC. As the preamble to S.B. 1792 points out, that task force originally called for the establishment of regional governing boards and the delegation of considerable operating autonomy to each of the five regions of HHSC. At the same time, the task force also intended Hawaii's state hospitals to benefit from the many efficiencies and economies of scale that would be inherent in a true system.

The benefits of maintaining HHSC as a system, as opposed to its fragmentation into stand-alone regions, sometimes appear to be lost in the current debate. Yet the "stand-alone" hospital – especially in rural areas – is rapidly becoming a thing of the past in most parts of the country. Just a few of the benefits identified in the health care literature are:

Elimination of duplicative services.

Economies of scale in purchasing.

Economies of scale in consolidating administrative functions.

Ability to utilize more sophisticated (and expensive) information technology across a system.

Collaboration within the system with respect to grants or research projects.

Collaboration within the system with respect to safety-net outreach and services, e.g., expertise or needs likely to be unique to HHSC across Hawaii.
Ability to cross-subsidize under-compensated safety-net services.

Cross-referrals within the system.

Marketing advantages, including economies of scale in creating a "brand name," ability to advertise broader and deeper expertise, more services, and more convenient locations.

Potential to enhance consumer confidence regarding consistency of quality, access to technology and services, geographic access, etc.

Ability to offer "one-stop shopping" and extended geographic coverage to insurers.

Enhanced negotiating leverage with respect to rate setting and reimbursement, and ability to negotiate state-wide agreements with HMO's and other insurers.

Enhanced lobbying strength in legislature and executive branch.

Economies and stability typically enhance access to and cost of capital.

System-wide access to patient data, through shared electronic medical records and similar technology, enhances quality of care, e.g., for a patient who needs care while on another island, also in contributing to the system's overall quality improvement efforts.

Sadly, the proponents of S.B. 1792 would achieve autonomy for just one region of HHSC, the Maui region, at the expense of dismantling and potentially destroying the HHSC system. Yet I don't believe this bill is even in the best interests of Maui. So many of the fiscal and programmatic improvements achieved to date by HHSC – even on Maui – would have been far more difficult for the state's hospitals to achieve on a fragmented, stand-alone basis. On Maui, these include a beautiful new hospital wing and the development of many state of the art services. And yet as everyone knows, economic viability is extremely fragile for all hospitals in today's volatile health care environment – and hard-won improvements could be easily reversed if an effective system like HHSC is dismantled.

It is true that after a decade of operation, HHSC can benefit from carefully considered organizational and structural reforms, including greater regional autonomy and implementation of the

community-based governance originally envisioned for the system. But to be effective, such reforms require a balance between system-wide and regional functions and responsibilities. Unfortunately, S.B. 1792, in its current form, does nothing to achieve such a balance, or preserve any of the benefits of the system. I urge you to vote no on this bill in its current form.

Larry Gage
President, National Association of Public Hospitals & Health Systems "

Representative Mizuno rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In support of the floor amendment. Mr. Speaker, this bill could be the most important piece of legislation that we pass this Session. The Hawaii Health Systems Corporation is comprised of 12 community hospitals—13 when Kahuku is added—and it provides acute and long-term rural healthcare. This is the nation's fourth largest community hospital system, with more than 3,400 employees making the HHSC Hawaii's fifth largest employer. With that said, this bill could shape Hawaii's health care for the next decade. In fact, it's especially going to affect our Neighbor Islands

"I should note that this is such an important measure. We need this to go to Conference. I do want to acknowledge that although I do support the floor amendment, this is still a work in progress. Also, Mr. Speaker, I would like to remind our members that we are a bicameral legislature. We have two Chambers, the House and the Senate. We need a concurrent majority to pass legislation. The reason I bring this up, Mr. Speaker, is simple. It's leverage or bargaining power. If we go to Conference with this floor amendment, it does vary substantially from the Senate version. It will provide us with a lot of leverage to meet half way or compromise.

"The Senate version actually has five regions and it creates regional affiliate corporations. This is completely different from the floor amendment in that it effectively breaks up HHSC. It has substantial control of the corporations because they are five separate corporation, they're affiliate corporations. The floor amendment allows HHSC to remain intact. Keep in mind this is, again, I repeat, this is still work in progress and if it goes to Conference, things can be changed to make this measure air-tight.

"I do want to note also that there are a number of problems with HHSC. In fact, the Administrator himself admits that they have problems. We also need more autonomy for our Neighbor Island hospitals. We need more accountability and we can't continue to lose doctors, nurses, and health care workers. We need to better address the needs of our Neighbor Island hospitals. We can certainly do this with a measure. Again, the bottom line is this. This is still work in progress. We need this measure to pass this floor. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the proposed floor amendment, stating:

"Thank you. Just in strong support of the floor amendment, Mr. Speaker, and it's been said so beautifully that I do want to ask that the words of the Representative from Kalihi be incorporated as my own," and the Chair "so ordered." (By reference only.)

Representative Meyer rose to speak in support of the propose floor amendment, stating:

"Thank you, Mr. Speaker. I'm just rising in support of the amendment. I think that the Representative from Hana [Hanalei] made very good points. I think it's the concern of many of us in this Chamber, the concern that the underlying bill would weaken the HHSC. I'm particularly concerned because of the fact that Kahuku Hospital is hoping to come under the umbrella of HHSC and they are not in the black. They're in the red. And so, I think we all pretty much have unanimity in our thought to keep HHSC as solid as we possibly can. Thank you."

Representative Takai rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in support of this floor amendment. First, I would like to incorporate the words of the Representative from Hanalei as if they were my own. I just wanted to mention just a few things. First, I think we all have received e-mails; I think hundreds of e-mails over the past few days, and I think that this particular floor amendment addresses the concerns raised by many in the communities, especially from the islands of Kauai and the Big Island.

"In addition, Mr. Speaker, when you take a look at this floor amendment, I think it's a more prudent approach to dealing with concerns raised by members in regards to our Hawaii Health Systems Corporation. It is the more prudent approach, Mr. Speaker, because blowing up the system as the Senate proposes, or carving out a bit of the system as the H.D. 2 proposes, I think destroys what we have worked so hard to create over the last ten years.

"And more importantly, Mr. Speaker, if you take a look at public policy, I think public policy is on the side of this floor amendment. A few years ago when we took a look at breaking up the school system into local school boards or a few years ago when we took a look at breaking up the university into separate campuses, we all came back to the conclusion, the realization, that keeping the umbrella over the entire system was the right way to go, and in this particular case, as well, for the Hawaii Health Systems Corp, it is the right way to go. By empowering the regional affiliates as this proposal provides, gives the Neighbor Islands and the rural areas of Oahu, a stronger say in their hospitals, specifically for their communities. And I think that's the right prudent approach, so, Mr. Speaker, I encourage our members to support this floor amendment. Thank you."

Representative Ward rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker. I rise in support of the amendment. Mr. Speaker, as much as we'd like to see Maui on its own, the timing is, unfortunately, not appropriate at this juncture. As the system was put together over 10 years ago to stabilize, stop the hospitals from bleeding, the wobbling, to systematize and get bulk purchasing, try to save money. It seems as though what we promised when we did that to get something like we have arrived at today, like a private-public partnership, or at least privatization like Maui is talking about, I think this system is too much in a crisis to do that. And that's why this amendment is needed for the sake of the whole system. The time is not right to do that even though we have to address it.

"The only thing, Mr. Speaker, that when we want to keep the integrity of the system that I have one concern of in this bill is when the introducer from Kauai said, and I checked in the bill, that there are going to be sub-accounts, the money stays in the regions. I think that's a good gesture for Maui and for others that may be in the black, even though I think Maui is probably not going to be in the black. But for those regions which are in desperate shape and have been in the red and will remain in the red, keeping the money in the region is contrary to what otherwise HHSC was designed for and that was all for one, one for all. We put all of our resources in one place.

"So, that's a very slight reservation, and I know it's a work in progress, it can be worked on. But for the sake of what we are doing now, I think for the long run, it's the best thing. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 11, amending S.B. No. 1792, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," be adopted, was put to vote by the Chair and carried, with Representatives

Bertram, Cabanilla, Green, McKelvey, Souki, Thielen and Tokioka being excused.

At 7:05 o'clock p.m., the Chair noted that Floor Amendment No. 11 was adopted and that S.B. No. 1792, SD 3, HD 3 would be placed on the calendar for action on Thursday, April 12, 2007.

At this time, the Chair announced:

"Members of the House, this is the 48-hour notice for Floor Amendment No. 11. S.B. 1792, S.D. 3, H.D. 3, will be addressed on Thursday evening at 7:05 in the evening to meet the 48 hour requirement."

THIRD READING

S.B. No. 1882, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 1882, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Finnegan offered Floor Amendment No. 7, amending S.B. No. 1882, SD 2, HD 1, as follows:

SECTION 1. Senate Bill No. 1882, Senate Draft 2, House Draft 1 is amended by deleting its contents and inserting the following language, to read as follows:

"SECTION 1. This Act aims to provide an income tax cut for a vast majority of individual taxpayers. Increasing the standard deduction will primarily benefit low and moderate-income individuals by raising the Hawaii standard deduction to approximately seventy-five per cent of the 2005 federal standard deduction. In addition, this Act aims to narrow the disparity between the State's high income taxes and the economic reality of Hawaii's high cost of living.

Since 1983, the tax review commission has consistently recommended that the standard deduction be increased to assure the State's tax structure provides financial equity to the poor and to reflect the economic realities of living in Hawaii. The State's present standard deduction of $4,000 for joint filers is markedly lower than the 2005 federal standard deduction of $10,000. This Act accomplishes meaningful tax relief for low and moderate-income families by making the necessary amendments to the tax laws.

SECTION 2. Section 235-2.4, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Section 63 (with respect to taxable income defined) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that the standard deduction amount in section 63(c) of the Internal Revenue Code shall instead mean:

(1) [~~$4,000~~] $7,500 in the case of:

(A) A joint return as provided by section 235-93; or

(B) A surviving spouse (as defined in section 2(a) of the Internal Revenue Code);

(2) [~~$2,920~~] $5,475 in the case of a head of household (as defined in section 2(b) of the Internal Revenue Code);

(3) [~~$2,000~~] $3,750 in the case of an individual who is not married and who is not a surviving spouse or head of household; or

(4) [~~$2,000~~] $3,750 in the case of a married individual filing a separate return.

Section 63(c)(4) shall not be operative in this State. Section 63(c)(5) shall be operative, except that the limitation on basic standard deduction in the case of certain dependents shall be the greater of $500 or such individual's earned income. Section 63(f) shall not be operative in this State.

The standard deduction amount for nonresidents shall be calculated pursuant to section 235-5."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval and shall apply to taxable years beginning after December 31, 2006."

Representative Finnegan moved that Floor Amendment No. 7 be adopted, seconded by Representative Meyer.

Representative Meyer rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I think we have seen a lot of articles recently in the paper, people saying that this is the time to do some tax reform and our taxpayers are pretty well beleaguered with high costs, high taxes, high property taxes, and we have somewhere in the neighborhood of a $700 million dollar surplus.

"Our amendment would ask for increasing the standard deduction to 75% of what the federal deduction is. This would cost the State somewhere in lost revenue of about $30 million, but would give a great deal of tax relief to the largest number of people. We are one of the worst states for taxing the poor and that's one reason why we are introducing this amendment. While the EITC, which is moving along, does help a lot of people, it doesn't come anywhere close to the numbers that the increased standard deduction would. It's such a major thing. People really need tax relief and this is one way to get it to the most people."

Representative Marumoto rose to speak in support of the proposed floor amendment, stating:

"Just quickly, in favor of the amendment. I just want to remind everyone that as the Floor Leader mentioned, the GET is a very regressive tax and at one point, when it was instituted, there was, to balance the tax, there was the food tax credit that was instituted, so this is not a new tax. This existed until, let's say about 10 to 12 years ago, and we collapsed this tax in order to capture more money. Some of you may have been around. Most of you were not, but that's when we were scooping $250 million out of the Employees' Retirement Fund, we were taking $150 million out of the Highway Fund just into the general fund, and at the time we collapsed several tax credits and this food tax credit was one of them.

"This is the one that helps the most unfortunate, the poorest people in our community because they spend most of their income on items taxable by the general excise tax, which is food, rent and medical services. So, I really wish that you would vote for this amendment if you care about helping those who are not rich. Thank you very much."

Representative Ward rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, I rise in support of the amendment. Mr. Speaker, a rising tide lifts all boats, especially when yours is made out of cement. Hawaii and Alabama are on the bottom rung of the taxation of the poor. That's embarrassing. We should all be embarrassed at that. This is a bill that gets us really fast to the top. Thirty plus million dollars for all those people who are having a hard time making it in Hawaii. It makes a lot of sense. It's quicker. It's not something that's going to be slower unless, generous as the bill is, if this amendment does not pass it will so indicate.

"But this is something that I would hope before this body adjourns, either in this Session or the next, we would address this. Rather than give lip service to the poor, we give them the substance of which they need. Otherwise, we shouldn't be crying every time we put in a legislative package, or Majority or Minority package. We have to help the poor, and then we leave this place and we don't deliver. This amendment is one opportunity to do that. We can put our money where our mouth is. Thank you, Mr. Speaker."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to point out that since 1983, the Tax Review Commission has consistently recommended that the standard deduction be increased to ensure the State's tax structure provides financial equity to the poor and to reflect the economic realities of living in Hawaii. By raising the standard deduction, we could take a whole lot of people off the tax rolls, and people that are paying taxes now would not have to pay. Sounds like a great idea. Thank you."

Representative M. Oshiro rose to speak in opposition to the proposed floor amendment, stating:

"I rise in strong opposition to this floor amendment. Mr. Speaker, just so people understand, this floor amendment would remove all of the elements of the food credit and substitute it with the standard deduction amounts to 75% of the federal amounts. For those who weren't here last year, the Legislature did increase the standard deduction by 40% of the federal standard amount and we also decreased the income tax rates for a total of about $60 million that went back into Hawaii's taxpayer's pockets, just shy of a year ago.

"The provisions of this floor amendment will have a fiscal impact on the State treasury of about $30 million this year, Mr. Speaker. But Members, keep in mind and remember that since Opening Day, the Governor has submitted a total of seven Governor's messages and that seven messages between February 14 and March 30 that increased spending in our budget. We only had the opportunity to consider two of them before the First Cross and the Budget Decking. Mr. Speaker, in total the seven Governor's messages add about $114 million more in spending in the budget. This amount, Mr. Speaker, the Governor proposes to spend $40 million from the general fund.

"And let's not forget, Mr. Speaker, that the Governor did submit several messages for further emergency appropriations. In fact, this morning we passed out several of them. Those are all additional unaccounted-for request.

"And, finally, Mr. Speaker, we should remember that the Governor's balance of the biennium inches down to about $44 million. Mr. Speaker, something has to give. We should also keep in mind that the Governor is still in the middle of collective bargaining. She still has the teachers …"

Representative Meyer rose, stating:

"Mr. Speaker, I don't think anything about the budget is … We're not looking at the budget now. What we're looking at is the amendment. Will the speaker just stick to the amendment?"

The Chair responded, stating:

"The amendment is addressing the overall financial plan of the State of Hawaii, which is also addressing the budget. You all recognize that. Whatever impact it has to the general fund, it affects the people of the State of Hawaii, also. Please proceed Representative Marcus Oshiro."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. I thank the Minority Floor Leader for making my point. This has to consider the budget. For example, Mr. Speaker, last week the Governor just settled with the HGEA and that drops in another cost element of about $183 million. Again, something has to give, Mr. Speaker. The Governor is still negotiating with teachers, nurses, prison guards. Something has to give.

"The Committee on Finance passed out about over a billion dollars in request in many House bills. Something has to give. Mr. Speaker, at the end of the day the Legislature will have to make some tough choices and balance the budget. It is premature at this point to set any amount for the additional standard deduction increase. Even the Governor is asking us to spend more money. Mr. Speaker, there is no free lunch. And f it sounds too good to be true, it probably isn't. Thank you."

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In support of the amendment. Mr. Speaker, if we could only think of standard deduction as, say, one of other programs or a new program, a government program that we passed out, then maybe this would have a chance of just actually moving along a little bit more forward along the process because it is very similar to establishing like another government program, except for investing money back into the pockets. Letting them keep more of the money that they earned, which in essence helps everybody.

"Mr. Speaker, we have exactly like what the Finance Chair has stated. We passed out many things with high price tags and we say it's a work in progress. Hey, let's try and do that for the standard deduction as well. Let's try and use that as a part of this equation, of this whole financial picture.

"The other thing that I would like to just also mention is the six year financial plan. With the six year financial plan, we were actually able to say, 'Hey, the Governor's budget says this.' That's what I would have liked to see, so that we could say the same thing about the different things that are moving through the House and say, 'Hey, how is this compared to our own six year financial plan?' Mr. Speaker, if we can pass out other programs, all this money for other things and say, 'Well, it's going to work out in the end,' why can't we do that with standard deduction? Thank you."

Representative Marumoto rose to respond, stating:

"Thank you. My second time in favor. I thank the Finance Chair for correcting my previous statements, but I still encourage you to vote for this amendment to raise the standard deduction to 75% of the federal level. And after you pass this amendment, at Conference Committee, we should also add back in the food tax credit. I believe that we're passing a lot of bills with blank amounts. We don't know what the tax credit amounts will be. We don't know what the rebate amount will be for the constitutional rebate and so, we don't know what kind of tax relief our people will get. They deserve some. Thank you very much."

Representative Ward rose to respond, stating:

"Mr. Speaker. Second time in favor of the amendment. I was just reflecting on the very interesting role reversal that's taking place. You got the Republicans pleading the plight of the poor and the Democrats saying we don't have the money. I thought that was a very interesting historical contrast because, Mr. Speaker, the statistic has become so severe, that 33% of the people of this State are dependent somehow on either a welfare check or a subsidy or some way not making it either from the federal, State or municipal level on their own.

"We don't have an independent state with independent people. It's got so serious that these Republicans will probably need to continue to plead the plight of the poor until we listen, we say either we pay now or pay later. And we know when the poor don't have the resources to get medical care and the food and sustenance that they

need, we're going to end up paying later, we're going to pay more. It's in prison, it's in education and it's cost effective to do it now, so in case there is an irony in our role reversal, it's because it's practical, it works and it's in the DNA, as the Chair of the Finance Committee used to say. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In opposition to the amendment. The previous speaker mentioned the Republican DNA again. I have to say that there must be something in the water in Washington, D.C. that alters Republican DNA because in 2001, when the current President came into power, the federal debt was $5.6 trillion and now it's $8.7, and I think …"

Representative Meyer rose, stating:

"Mr. Speaker, the speaker is not talking about the amendment. He's gone way far afield."

The Chair responded, stating:

"Your point is well taken. Representative Rhoads, could you confine your remarks to the proposed floor amendment relating to standard deduction."

Representative Rhoads continued, stating:

"They opened the door on that. They're the ones who brought up their own DNA. Not me.

"Speaking directly to the amendment, as a member of Finance, I probably had 60 meetings with people coming in and asking on GIA request. I haven't seen a single project, yet, that I didn't see was meritorious. The ERS is behind by $5.1 billion. Schools need repairs. There are a whole number of things we have that are a very high priorities for us in the budget. I would support this amendment if there was an offsetting tax increase for the wealthy. If you really care about the poor, then you'll put your money where your mouth is and offset and make it a budget neutral amendment. Mahalo."

Representative Manahan rose in opposition to the proposed floor amendment and asked that the remarks of Representative Rhoads be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, also in opposition. I just wanted to correct any misimpression that the Democrats from Hawaii are not concerned about the working poor of our State, or the working families of our State. If you look at any number of pieces of legislation we've moved to address that issue. What we are mandated to do is pass a balanced budget, and that's what we are trying to do while addressing the needs of working families, and there are many, many bills that do that. Thank you very much, Mr. Speaker."

The motion that Floor Amendment No. 7, amending S.B. No. 1882, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," be adopted, was put to vote by the Chair and failed to carry, with Representatives Bertram, Cabanilla, Green, McKelvey, Souki, Takamine, Thielen and Tokioka being excused.

(Main Motion)

The motion was put to vote by the Chair and carried, and S.B. No. 1882, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 44 ayes, with Representatives Bertram, Green, McKelvey, Souki, Takamine, Thielen and Tokioka being excused.

At 7:21 o'clock p.m., the Chair noted that S.B. No. 1882, SD 2, HD 1 passed Third Reading.

S.B. No. 148, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 148, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Finnegan offered Floor Amendment No. 9, amending S.B. No. 148, SD 2, HD 1, as follows:

SECTION 1. Senate Bill No. 148, Senate Draft 2, House Draft 1, is amended by deleting its contents and replacing it with the following language, to read as follows:

"SECTION 1. The legislature finds that article VII, section 6, of the constitution of the state of Hawaii requires the legislature to provide a tax refund or tax credit when certain factors are met. The legislature finds that these factors have been met and that the legislature is constitutionally required to provide a tax credit or tax refund.

The purpose of this Act is to provide for an income tax credit of $100 multiplied by the number of the taxpayer's dependents to every resident individual taxpayer of the State with an adjusted gross income, as defined by the Internal

Revenue Code, below a certain amount, and an income tax credit of $1 multiplied by the number of the taxpayer's dependents to every resident individual taxpayer of the State with an adjusted gross income, as determined by the Internal Revenue Code, above a certain amount, to satisfy the constitutionally mandated requirements.

SECTION 2. (a) There shall be paid, as early as December 1, 2007, or as soon thereafter as reasonably practicable, to each resident individual taxpayer who files an individual income tax return for the taxable year 2005, and who is not claimed or is not otherwise eligible to be claimed as a dependent by another taxpayer for federal or Hawaii state individual income tax purposes, a general income tax credit of $100, with the following filing status and federal adjusted gross income:

Filing status	Federal adjusted gross income
Married Filing Jointly	100,000 or less
Head of Household	$75,000 or less
Single, Married Filing Separately	$50,000 or less

There shall be allowed to each resident individual taxpayer who files an individual income tax return for the taxable year 2005, with federal adjusted gross income in excess of the limits described above, and who is not claimed or is not otherwise eligible to be claimed as a dependent by another taxpayer for federal or Hawaii state individual income tax purposes, a general income tax refund of $1.

Each resident individual taxpayer shall be paid the general income tax credit. In addition, each taxpayer shall be paid an amount equal to the general income tax credit multiplied by each dependent claimed on the taxpayer's 2005 net income tax return; provided that a husband and wife that filed a joint return shall only be entitled to be paid an amount not to exceed the computed refund amount based upon the number of dependents that the husband or wife would have been entitled to claim had the husband or wife filed separately.

Each person to whom the general income tax credit is paid shall have been a resident of the State, as defined in section 235-1, Hawaii Revised Statutes, for at least nine months regardless of whether the qualified resident was physically in the State for nine months.

The general income tax credit shall not be paid to:

(1) Any person who has been convicted of a felony and who has been committed to prison and has been physically confined for the full taxable year;

(2) Any person who would otherwise be eligible to be claimed as a dependent but who has been committed to a youth correctional facility and has resided at the facility for the full taxable year; or

(3) Any misdemeanant who has been committed to jail and has been physically confined for the full taxable year.

(b) The tax credit paid to a resident taxpayer pursuant to this Act shall not be included in the resident taxpayer's gross income.

(c) This section implements the provisions of article VII, section 6, of the constitution of the State of Hawaii, enacted by the 1978 constitutional convention, which reads as follows:

"DISPOSITION OF EXCESS REVENUES

Section 6. Whenever the state general fund balance at the close of each of two successive fiscal years exceeds five percent of general fund revenues for each of the two fiscal years, the legislature in the next regular session shall provide for a tax refund or tax credit to the taxpayers of the State, as provided by law."

SECTION 3. This Act shall take effect upon its approval."

Representative Finnegan moved that Floor Amendment No. 9 be adopted, seconded by Representative Meyer.

Representative Pine rose to speak in support of the proposed floor amendment, stating:

"Yes, Mr. Speaker. In strong support of the amendment. Mr. Speaker, the State Constitution requires that taxpayers be given a refund or tax credit when the balance of the general fund exceeds 5% two years in a row. In the last couple of years, we've had a surplus of $700 million, we've had a surplus of $400 million.

"Basically, in the last two years, Hawaii's government has made over a billion dollar profit off its people, mainly the poor. Residents of my district, I can talk to you about that. A man just came up to me at church the other day and just said the fees are going up, the taxes are going up, they're taxing the poor the most in Hawaii. When is it going to stop? And, so, I just start imagining this person from my church when he gets his $1 tax refund in the mail. He only makes about $24,000 a year. He paid out a lot more. He's having to take out a mortgage on his house just so he can pay his bills. He was a good tax paying citizen his whole life, and now just to pay his bills and the high cost of living in Hawaii, he has to take a mortgage or a reverse mortgage on his home.

"Mr. Speaker, basically, what the bill does now is it changes a larger tax credit that would go back to the people to $1 and what our amendment does is, for example, if you make $50,000 or less, instead of $1, you get $100. Now, in Hawaii, after taxes, that means you're making about $30,000 a year, which is not enough to survive. I just don't believe, Mr. Speaker, that government should be in the business of making a profit from its people. And we talk about something's got to give, but is it the poorest who'll have to give? What are we going to give back? And if this person from church who's apparently benefiting from all these working family laws that we're passing is still suffering, and his family is suffering, then, perhaps, we should rethink what we're really passing these days.

"If the newspaper, itself, is saying that we tax the poor the most, then we're obviously not doing a good job of helping the working poor, and maybe we should give to the right people, and that is to the poor and to the middle class. And giving a dollar, Mr. Speaker, it'll buy this pen. Well, actually this is a Cross pen, I'm sorry. It'll buy this Bic pen. That's not really meaningful to the guy from church who is pleading with me just to help him out to survive."

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, just short comments. I remember reading in the newspaper in regards to this. Basically, what we're saying is in order to help with this floor amendment, we're basically saying, if you make over $100,000, even though we know $100,000 in Hawaii is not that much, if you make over $100,000, okay, we'll go with the dollar. Okay, we'll try that. But if you make under a hundred thousand and this is not in one income, this is a two income family, you know, and it's $100 per dependent, you may get for a family of four with two incomes under $100,000 in income, $400 in tax credit. It's something that we can do. It's basically addressing people and families that make under $100,000, Mr. Speaker. This is different than what the Governor has proposed and we're hoping that we will be able to adopt the amendment for more discussion on this issue.

"But, also, Mr. Speaker, I remember reading in an article early on in this Session, where the Majority Leader basically said $1 would be silly. I can't remember the exact quote, but he said $1 would be silly. And what are we moving forward in this bill? One dollar."

Representative Caldwell rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, a couple of points I want to make. In opposition. One, I don't think I ever said a $1 rebate or credit is silly. I'd like to see where that's stated. Unless we're saying it was going to be done through the mail. That would be silly. It costs more to do that. But I don 't think I ever was opposed to a one dollar rebate or credit.

"In fact, Mr. Speaker, we've all seen the *People's Pulse* polls that have been taken and shared with this caucus. It is paid for by the Business Roundtable and PRP Partnership, and in it, it consistently shows in its polls, that the majority of working families in this State, would much better see the surplus plowed back into worthy needs, whether it be education, fixing infrastructure, any number of public work projects and other benefits that we all enjoy and are extremely important in that way. And I think that's what we're talking about here. We're saying, let's plow the money back into other worthy needs instead of giving someone $100.

"I've already stated that $100,000 isn't that much, Mr. Speaker. I think if you ask most working families whether they thought a $100,000 in income was a lot, and they will say yes. And, in fact, someone making $100,000 would get $100 back. And those people may belong to a country club. They play a round of golf, they eat at the golf club house afterwards. They spend $100. It's gone. Let's take that money, let's put it back into our infrastructure, let's upgrade our schools, let's commit to the programs we say we're going to support to all the GIA, to all the CIP. So, Mr. Speaker, we should vote down this amendment. Thank you."

Representative Pine rose to respond, stating:

"I don't think the *People's Pulse* understands some of the people in my district. I can guarantee you that half the people from Campbell High School send their kids to that school who are so poor that their kids have to take these free lunch programs and they're embarrassed about it. I'm sure if I called someone on the phone and said, 'Hey, did you give back money to the people? To Hawaii? For infrastructure?' They'll say, 'Yeah', but they'll go home and then they'll sit down and go, how are we going to pay for food next week. You know, I'm mainly talking about those people.

"And maybe $100,000, for that other part of the amendment is something that someone's against. I can guarantee you that a family of four that makes that much, they're still sitting down and saying, 'Yeah, let's give back. Let's give back', but they still can't afford to

live here. Taxes, especially property tax has skyrocketed. That's not enough to raise a family of four."

Representative M. Oshiro rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, I rise in opposition of this floor amendment. I wasn't going to say anything, but I will be remiss if I didn't point out a couple of things. First, I think most people would agree that for those making $100,000 a year, that's a lot of money, but maybe the DNA leads someone to believe that's not.

"The second point I need to make, Mr. Speaker, is that I don't take to heart, as a gospel truth, anything I read in the newspapers, and I'm sure that most of my constituents would also agree with that.

"And the third point I think, Mr. Speaker, the reason why I'm standing in opposition to this measure, I think the Members, especially those who are proponents of it, should understand what they're offering before this body, so they don't embarrass themselves by voting for this amendment. You see, Mr. Speaker, when I look through this draft and have the analysts look through it again and double-check it, what this bill will do is, it will provide a credit of a $100 to the so-called 'poor people'. It will give the 'rich guys' a tax refund of $1. That's the way it's drafted and that's the way it's going to be played out. And, so, that's another reason why I will be voting against this amendment."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I'm still very much in support of it. I just wanted to make a correction. I think the Chairman of Finance talked about a person making $100,000. We're saying it's not a person. It's a couple people filing jointly. It's up to a $100,000, but it's all those people between $15,000 up to $100,000. And it's not that we'd rather take that money for GIA. We've already taken that money. That's why we have a surplus. We've overtaxed the people of Hawaii, and the people, according to our Constitution, are to get something back. But it doesn't seem to be a recognition in this Chamber that people were overtaxed, and now, with the increase and the excise tax gone up 12.5% starting January 1, these very people are getting taxed more and more.

"So, this is just trying to do what the Constitution envisioned. I don't think a dollar is anything. I would have trouble with mailing a dollar back. But the major thrust of our amendment is the $100 per person. For a family of four, that's $400, and that would be something that would be substantial enough that people would realize they're actually getting some of their tax dollars back. Thank you."

Representative Wakai rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in opposition to the proposed amendment. Mr. Speaker, I agree that Hawaii taxpayers deserve some level of relief. I disagree that a hundred dollars for every taxpayer is the correct route to go. If the State is going to give tax relief to people, shouldn't that relief be given to the people who need it the most?

"The Minority argues that everyone deserves a hundred bucks in their pocket, but you have to ask what type of people. Their position is to provide some relief to as many taxpayers as possible, providing EITC or cutting taxes on food and medicine. It's targeted to low income taxpayers, particularly, families with children. It gives more significant relief to this group than is possible through a one time give away. The hand out does very little to get people out of poverty since low income families currently bear more than their fair share of the State tax burden here in Hawaii. It is totally appropriate that tax relief be targeted to them. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 9, amending S.B. No. 148, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," be adopted, was put to vote by the Chair and failed to carry, with Representatives Bertram, Green, McKelvey, Nakasone, Souki, Takamine, Thielen, Tokioka and Yamane being excused.

(Main Motion)

The motion was put to vote by the Chair and carried, and S.B. No. 148, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Third Reading by a vote of 43 ayes, with Representatives Bertram, Green, McKelvey, Nakasone, Souki, Takamine, Thielen and Tokioka being excused.

At 7:34 o'clock p.m., the Chair noted that S.B. No. 148, SD 2, HD 1 passed Third Reading.

At 7:34 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 7:37 o'clock p.m.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, I'm proud to announce the results are just in from the Pacific's newest democracy, East Timor. They have just completed their first election since independence from Indonesia in May 2002.

"Of great interest to Hawaii is that the likely choice for president will be Nobel Laureate winner, Ramos-Horta who's a great friend of this body. In fact, he was given a commendation in 1998 from this body and one who was a great friend of the Peace Corp while I was there as the country director. I'm sure we're going to see him again and I will keep you posted. Thank you."

Speaker Say: "Members of the House, if you look on pages A through I of your Order of the Day, we have a lot of hearings tomorrow, so please be aware of your public hearing notices."

Representative Chong for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement to hear HCR No.196 and its companion HR No. 154, Requesting the Office of Hawaiian Affairs to Report on the Status of Waimea Valley, be heard tomorrow at 10:20 a.m., in Conference Room 312, and the Chair "so ordered."

Representative Ching: "Thank you, Mr. Speaker. Mr. Speaker, a former long-time federal Prosecutor here who served as the head of the State Department of Public Safety. He was helping the legal system in Malawi and Southeast Africa. And this federal Prosecutor also worked in the U.S. Attorneys office.

"His most famous case was prosecuting Ronald Rewald, who was in prison for defrauding victims of millions of dollars through the bogus firm of Bishop Baldwin Rewald. And he was appointed by Governor Lingle to head the Department of Public Safety. He resigned the following year to return to Bosnia and helped that nation's legal system and to establish a judicial system in Bosnia, Herzegovinia. He died this week in a car crash in Africa.

"Many of us knew John Peyton as the head of the State Department of Public Safety. I think he served with dignity, and he was a good man, as I've known him. And I'd just like to request a moment of silence at the appropriate time."

At this time, the House of Representatives stood for a moment of silence in memory for former Department of Public Safety director, Mr. John Peyton, Jr.

Representative Yamashita: "Thank you, Mr. Speaker. I'd like to announce that my office will be sponsoring the Second Annual Bizarre Bazaar for the Hawaii Foodbank, with proceeds going to that, tomorrow from 11:00 a.m. to 1:00 p.m. I just noticed that on my Palm. I don't know what room it's in, but the information is on the elevator door, so you can look at there. Thank you."

ADJOURNMENT

At 7:40 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 7:00 o'clock p.m., Thursday, April 12, 2007. (Representatives Bertram, Green, McKelvey, Nakasone, Saiki, Souki, Takamine, Thielen and Tokioka excused.)

HOUSE COMMUNICATION

House Communication dated April 10, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 15, H.D. 2, S.D. 2
H.B. No. 18, H.D. 1, S.D. 2
H.B. No. 24, H.D. 1, S.D. 2
H.B. No. 119, S.D. 1
H.B. No. 149, H.D. 2, S.D. 2
H.B. No. 513, S.D. 1,
H.B. No. 567, H.D. 1, S.D. 2
H.B. No. 575, H.D. 1, S.D. 2
H.B. No. 598, H.D. 1, S.D. 1
H.B. No. 767, H.D. 2, S.D. 2
H.B. No. 869, H.D. 1, S.D. 2,
H.B. No. 1005, H.D. 2, S.D. 1
H.B. No. 1103, S.D. 1
H.B. No. 1207, S.D. 1
H.B. No. 1227, H.D. 1, S.D. 1
H.B. No. 1289, H.D. 2, S.D. 3
H.B. No. 1338, H.D. 2, S.D. 1
H.B. No. 1372, H.D. 1, S.D. 1
H.B. No. 1403, H.D. 2, S.D. 1
H.B. No. 1452, H.D. 1, S.D. 1
H.B. No. 1477, H.D. 2, S.D. 2
H.B. No. 1529, H.D. 2, S.D. 2
H.B. No. 1931, S.D. 1

FORTY-SEVENTH DAY

Thursday, April 12, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 7:29 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Hailama Farden of Wai'anae Protestant Church, after which the Roll was called showing all members present with the exception of Representatives Carroll, Pine and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Thirty-Seventh, Thirty-Eighth, Thirty-Ninth, Fortieth and Forty-First Days were approved. (Representatives Carroll, Pine and Thielen were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 321 and 324) were received and announced by the Clerk and was placed on file:

Gov. Msg. No. 321, dated March 23, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Workforce Development Council's Report.

Gov. Msg. No. 322, dated April 11, 2007, transmitting the Department of Defense's Major Disaster Fund expenditure report.

Gov. Msg. No. 323, dated April 10, 2007, transmitting the Department of Public Safety annual report on the Criminal Offender Treatment Act.

Gov. Msg. No. 324, dated April 12, 2007, transmitting the Report as required by Act 160, Section 8.(18), Section 168.2 and Section 8.(19), Section 168.3, SLH 2006, which has been prepared by the Department of Human Services

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 560 through 723) were received and announced by the Clerk:

Sen. Com. No. 560, informing the House that pursuant to Senate Rule 66(3), the Senate has reconsidered its action taken on April 4, 2007 and requests that the following bills be returned to the Senate:

H.B. No. 429, HD 1
H.B. No. 504
H.B. No. 1907, HD 1

Sen. Com. No. 561, transmitting S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PROVIDE EXPERIENTIAL LEARNING OPPORTUNITIES FOR STUDENTS," which was adopted by the Senate on April 10, 2007.

Sen. Com. No. 562, transmitting S.C.R. No. 64, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A HAWAIIAN HOMESTEAD COMMUNITY SELF-GOVERNANCE TASK FORCE," which was adopted by the Senate on April 10, 2007.

Sen. Com. No. 563, transmitting S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HEALTH TO DEVELOP A SKIN CANCER EDUCATION AND PREVENTION PROGRAM AND COLLECT DATA ON THE INCIDENCE OF ALL FORMS OF SKIN CANCER AMONG RESIDENTS AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A CANCER AWARENESS PROGRAM IN ALL PUBLIC SCHOOLS," which was adopted by the Senate on April 10, 2007.

Sen. Com. No. 564, transmitting S.C.R. No. 194, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE MOLUCCA ALBIZIA TREE," which was adopted by the Senate on April 10, 2007.

Sen. Com. No. 565, transmitting S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW THE STATE'S VACCINATION REQUIREMENTS AND DETERMINE WHETHER VACCINATION FOR PNEUMOCOCCAL DISEASE FOR CHILDREN ENTERING CHILD CARE SHOULD BE ADDED TO THE CURRENT LIST OF REQUIRED VACCINATIONS," which was adopted by the Senate on April 10, 2007.

Sen. Com. No. 566, transmitting S.C.R. No. 216, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE GLOBAL DEMOCRACY PROMOTION ACT, WHICH WOULD REPEAL THE "GLOBAL GAG RULE" AND RELEASE MUCH-NEEDED FUNDS FOR INTERNATIONAL FAMILY PLANNING PROGRAMS," which was adopted by the Senate on April 10, 2007.

Sen. Com. No. 567, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 55, SD 1, HD 2
S.B. No. 784, SD 1, HD 2
S.B. No. 866, SD 1, HD 1
S.B. No. 1047, HD 2
S.B. No. 1675, SD 1, HD 1

Sen. Com. No. 568, dated April 10, 2007, informing the House that the Senate has, on April 5, 2007, reconsidered its action taken on April 2, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading.

S.B. No. 1444, SD 1, HD 1	"RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY."

Sen. Com. No. 569, dated April 10, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

13, HD1, SD1	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Gabbard
14, HD1, SD1	Sakamoto, Chair; Baker, Co-Chair; Tokuda, Gabbard
17, HD1, SD1	Sakamoto, Chair; Nishihara, Gabbard
1014, HD2, SD1	Sakamoto, Chair; Baker, Co-Chair; Tokuda, Gabbard
1153, SD1	Hee, Chair; Kokubun, Gabbard

Sen. Com. No. 570, dated April 10, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for

consideration of amendments proposed by the House to the following Senate Bills:

46, SD1, HD1	Hee, Chair; Kokubun, Gabbard
58, SD2, HD1	Taniguchi, Chair; Hee, Co-Chair; Espero, Slom
149, SD1, HD1	Baker, Chair; Tsutsui, Whalen
228, SD1, HD1	Hee, Chair; Kokubun, Gabbard
618, HD1	Inouye, Chair; Sakamoto, Co-Chair; Hemmings
755, SD1, HD1	Inouye, Chair; Tsutsui, Hemmings
784, SD1, HD2	Hee, Chair; Kokubun, Gabbard
1047, HD2	English, Chair; Hooser, Gabbard
1161, SD1, HD1	Chun Oakland, Chair; Hee, Co-Chair; Fukunaga, Hemmings
1236, SD1, HD1	Kokubun, Chair; Tokuda, Slom
1529, SD2, HD2	English, Chair; Hee, Co-Chair; Hooser, Gabbard
1709, SD1, HD2	English, Chair; Tsutsui, Gabbard
1954, SD1, HD1	Hee, Chair; Kokubun, Gabbard
1957, SD1, HD1	Hee, Chair; Kokubun, Gabbard

Sen. Com. No. 571, transmitting H.B. No. 426, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 572, transmitting H.B. No. 581, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 573, transmitting H.B. No. 863, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 574, transmitting H.B. No. 1095, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 575, transmitting H.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 576, transmitting H.B. No. 19, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 577, transmitting H.B. No. 30, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 578, transmitting H.B. No. 34, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 579, transmitting H.B. No. 55, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 580, transmitting H.B. No. 71, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 581, transmitting H.B. No. 90, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 582, transmitting H.B. No. 104, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 583, transmitting H.B. No. 116, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 584, transmitting H.B. No. 122, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 585, transmitting H.B. No. 150, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 586, transmitting H.B. No. 154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 587, transmitting H.B. No. 155, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 588, transmitting H.B. No. 162, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 589, transmitting H.B. No. 211, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 590, transmitting H.B. No. 212, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 591, transmitting H.B. No. 226, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 592, transmitting H.B. No. 249, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING TOURISM," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 593, transmitting H.B. No. 250, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 594, transmitting H.B. No. 257, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 595, transmitting H.B. No. 260, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 596, transmitting H.B. No. 275, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 597, transmitting H.B. No. 277, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 598, transmitting H.B. No. 310, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 599, transmitting H.B. No. 317, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 600, transmitting H.B. No. 325, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL CARE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 601, transmitting H.B. No. 338, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 602, transmitting H.B. No. 357, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 603, transmitting H.B. No. 375, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 604, transmitting H.B. No. 379, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 605, transmitting H.B. No. 399, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 606, transmitting H.B. No. 400, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 607, transmitting H.B. No. 402, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 608, transmitting H.B. No. 436, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 609, transmitting H.B. No. 451, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 610, transmitting H.B. No. 469, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 611, transmitting H.B. No. 483, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 612, transmitting H.B. No. 487, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 613, transmitting H.B. No. 497, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 614, transmitting H.B. No. 500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 615, transmitting H.B. No. 507, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 616, transmitting H.B. No. 528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 617, transmitting H.B. No. 531, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 618, transmitting H.B. No. 600, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COURT INTERPRETERS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 619, transmitting H.B. No. 639, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 620, transmitting H.B. No. 652, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 621, transmitting H.B. No. 659, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TARO," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 622, transmitting H.B. No. 667, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 623, transmitting H.B. No. 718, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 624, transmitting H.B. No. 751, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 625, transmitting H.B. No. 760, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 626, transmitting H.B. No. 776, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TICKET SALES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 627, transmitting H.B. No. 777, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 628, transmitting H.B. No. 791, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 629, transmitting H.B. No. 807, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 630, transmitting H.B. No. 825, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 631, transmitting H.B. No. 833, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 632, transmitting H.B. No. 835, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 633, transmitting H.B. No. 843, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 634, transmitting H.B. No. 854, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 635, transmitting H.B. No. 855, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 636, transmitting H.B. No. 859, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 637, transmitting H.B. No. 861, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 638, transmitting H.B. No. 895, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 639, transmitting H.B. No. 902, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL TAX CREDITS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 640, transmitting H.B. No. 910, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 641, transmitting H.B. No. 936, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 642, transmitting H.B. No. 962, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHRONIC KIDNEY DISEASE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 643, transmitting H.B. No. 964, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 644, transmitting H.B. No. 987, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICE OFFICERS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 645, transmitting H.B. No. 1001, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 646, transmitting H.B. No. 1003, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 647, transmitting H.B. No. 1004, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 648, transmitting H.B. No. 1008, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 649, transmitting H.B. No. 1018, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 650, transmitting H.B. No. 1034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 651, transmitting H.B. No. 1044, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 652, transmitting H.B. No. 1063, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 653, transmitting H.B. No. 1083, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 654, transmitting H.B. No. 1114, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 655, transmitting H.B. No. 1130, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 656, transmitting H.B. No. 1133, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTION DAY REGISTRATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 657, transmitting H.B. No. 1149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 658, transmitting H.B. No. 1155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 659, transmitting H.B. No. 1171, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 660, transmitting H.B. No. 1200, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 661, transmitting H.B. No. 1201, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 662, transmitting H.B. No. 1210, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 663, transmitting H.B. No. 1211, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 664, transmitting H.B. No. 1212, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 665, transmitting H.B. No. 1220, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 666, transmitting H.B. No. 1221, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 667, transmitting H.B. No. 1231, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 668, transmitting H.B. No. 1246, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 669, transmitting H.B. No. 1256, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 670, transmitting H.B. No. 1260, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 671, transmitting H.B. No. 1264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 672, transmitting H.B. No. 1268, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION IN EDUCATION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 673, transmitting H.B. No. 1270, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 674, transmitting H.B. No. 1277, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 675, transmitting H.B. No. 1283, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 676, transmitting H.B. No. 1291, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 677, transmitting H.B. No. 1292, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 678, transmitting H.B. No. 1306, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 679, transmitting H.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 680, transmitting H.B. No. 1323, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 681, transmitting H.B. No. 1328, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 682, transmitting H.B. No. 1336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 683, transmitting H.B. No. 1337, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 684, transmitting H.B. No. 1339, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 685, transmitting H.B. No. 1352, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A

COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 686, transmitting H.B. No. 1356, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 687, transmitting H.B. No. 1359, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 688, transmitting H.B. No. 1370, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 689, transmitting H.B. No. 1379, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 690, transmitting H.B. No. 1399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 691, transmitting H.B. No. 1406, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 692, transmitting H.B. No. 1414, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 693, transmitting H.B. No. 1435, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 694, transmitting H.B. No. 1440, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 695, transmitting H.B. No. 1479, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESSES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 696, transmitting H.B. No. 1493, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 697, transmitting H.B. No. 1500, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 698, transmitting H.B. No. 1503, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 699, transmitting H.B. No. 1516, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT AND THE RELOCATION OF HONOLULU MARINE, INC. TO KEEHI SMALL BOAT HARBOR," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 700, transmitting H.B. No. 1518, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 701, transmitting H.B. No. 1567, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 702, transmitting H.B. No. 1568, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 703, transmitting H.B. No. 1569, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 704, transmitting H.B. No. 1570, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 705, transmitting H.B. No. 1572, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 706, transmitting H.B. No. 1605, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 707, transmitting H.B. No. 1612, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 708, transmitting H.B. No. 1614, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 709, transmitting H.B. No. 1628, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 710, transmitting H.B. No. 1630, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 711, transmitting H.B. No. 1631, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 712, transmitting H.B. No. 1639, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 713, transmitting H.B. No. 1641, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 714, transmitting H.B. No. 1646, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 715, transmitting H.B. No. 1659, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 716, transmitting H.B. No. 1670, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 717, transmitting H.B. No. 1719, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 718, transmitting H.B. No. 1721, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 719, transmitting H.B. No. 1746, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 720, transmitting H.B. No. 1750, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 721, transmitting H.B. No. 1764, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 722, transmitting H.B. No. 1787, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 723, transmitting H.B. No. 1818, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 724, transmitting H.B. No. 1830, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 725, transmitting H.B. No. 1833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 726, transmitting H.B. No. 1866, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 727, transmitting H.B. No. 1899, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 728, transmitting H.B. No. 1950, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 10, 2007.

Sen. Com. No. 729, transmitting S.C.R. No. 212, S.D. 1 [S.D. 2], entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS WORKFORCE DEVELOPMENT COUNCIL TO CONVENE A TEMPORARY TASK FORCE TO EXAMINE STRATEGIES, OTHER THAN THOSE HAVING TO DO WITH MEDICAL MALPRACTICE LIABILITY AND INSURANCE PREMIUMS, THAT MAY PREVENT THE EXODUS OF PHYSICIANS FROM THE STATE," which was adopted by the Senate on April 12, 2007.

Sen. Com. No. 730, transmitting H.B. No. 356, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 731, transmitting H.B. No. 367, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 732, transmitting H.B. No. 676, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 733, transmitting H.B. No. 928, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 734, transmitting H.B. No. 1152, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 735, transmitting H.B. No. 1345, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 736, transmitting H.B. No. 1608, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 737, transmitting H.B. No. 1757, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 738, transmitting H.B. No. 1836, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 739, transmitting H.B. No. 1848, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," which passed Third Reading in the Senate on April 12, 2007.

Sen. Com. No. 740, transmitting H.B. No. 1909, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT," which passed Third Reading in the Senate on April 12, 2007.

Representative Caldwell moved that with the exception of H.B. No. 10, S.D. 1, to disagree to the amendments proposed by the Senate to House Bills returned to the House, seconded by

Representative B. Oshiro and carried. (Representatives Carroll, Pine and Thielen were excused.)

At this time, the House disagreed to the following House Bills returned by the Senate:

H.B. No. 19, H.D. 2, S.D. 2
H.B. No. 30, H.D. 2, S.D. 1
H.B. No. 34, S.D. 2
H.B. No. 55, H.D. 1, S.D. 2
H.B. No. 71, H.D. 2, S.D. 2
H.B. No. 90, H.D. 2, S.D. 2
H.B. No. 104, H.D. 2, S.D. 2
H.B. No. 116, H.D. 2, S.D. 1
H.B. No. 122, H.D. 1, S.D. 1
H.B. No. 150, H.D. 2, S.D. 2
H.B. No. 154, H.D. 1, S.D. 1
H.B. No. 155, H.D. 1, S.D. 2
H.B. No. 162, H.D. 1, S.D. 2
H.B. No. 211, H.D. 1, S.D. 1
H.B. No. 212, H.D. 2, S.D. 2
H.B. No. 226, H.D. 2, S.D. 2
H.B. No. 249, H.D. 1, S.D. 2
H.B. No. 250, H.D. 2, S.D. 2
H.B. No. 257, H.D. 1, S.D. 1
H.B. No. 260, S.D. 2
H.B. No. 275, H.D. 1, S.D. 2
H.B. No. 277, H.D. 1, S.D. 2
H.B. No. 310, H.D. 2, S.D. 2
H.B. No. 317, H.D. 2, S.D. 2
H.B. No. 325, H.D. 2, S.D. 2
H.B. No. 338, H.D. 2, S.D. 1
H.B. No. 356, H.D. 2, S.D. 1
H.B. No. 357, H.D. 2, S.D. 1
H.B. No. 367, H.D. 1, S.D. 3
H.B. No. 375, H.D. 1, S.D. 2
H.B. No. 379, H.D. 1, S.D. 2
H.B. No. 399, H.D. 1, S.D. 2
H.B. No. 400, H.D. 1, S.D. 2
H.B. No. 402, H.D. 1, S.D. 2
H.B. No. 436, H.D. 1, S.D. 1
H.B. No. 451, H.D. 1, S.D. 1
H.B. No. 469, H.D. 1, S.D. 2
H.B. No. 483, H.D. 1, S.D. 1
H.B. No. 487, H.D. 1, S.D. 1
H.B. No. 497, H.D. 2, S.D. 2
H.B. No. 500, H.D. 1, S.D. 1
H.B. No. 507, H.D. 2, S.D. 1
H.B. No. 531, H.D. 3, S.D. 2
H.B. No. 600, H.D. 1, S.D. 2
H.B. No. 639, H.D. 2, S.D. 1
H.B. No. 652, H.D. 2, S.D. 2
H.B. No. 667, H.D. 1, S.D. 2
H.B. No. 676, H.D. 1, S.D. 1
H.B. No. 718, S.D. 2
H.B. No. 751, H.D. 1, S.D. 2
H.B. No. 760, H.D. 2, S.D. 2
H.B. No. 776, S.D. 1
H.B. No. 777, H.D. 2, S.D. 2
H.B. No. 791, H.D. 1, S.D. 1
H.B. No. 807, H.D. 1, S.D. 2
H.B. No. 825, H.D. 1, S.D. 2
H.B. No. 833, H.D. 2, S.D. 2
H.B. No. 835, H.D. 2, S.D. 1
H.B. No. 843, H.D. 2, S.D. 2
H.B. No. 854, H.D. 1, S.D. 1
H.B. No. 855, H.D. 1, S.D. 1
H.B. No. 859, H.D. 2, S.D. 2
H.B. No. 861, H.D. 1, S.D. 1
H.B. No. 895, H.D. 2, S.D. 1
H.B. No. 902, H.D. 2, S.D. 3
H.B. No. 910, H.D. 1, S.D. 1
H.B. No. 928, H.D. 1, S.D. 2
H.B. No. 936, H.D. 2, S.D. 1
H.B. No. 962, S.D. 2
H.B. No. 964, H.D. 1, S.D. 2
H.B. No. 987, H.D. 1, S.D. 2
H.B. No. 1001, H.D. 2, S.D. 2
H.B. No. 1003, H.D. 3, S.D. 2
H.B. No. 1004, H.D. 2, S.D. 1
H.B. No. 1008, H.D. 2, S.D. 2
H.B. No. 1018, H.D. 2, S.D. 2
H.B. No. 1034, S.D. 1
H.B. No. 1044, H.D. 1, S.D. 2
H.B. No. 1063, S.D. 1
H.B. No. 1083, H.D. 2, S.D. 2
H.B. No. 1114, H.D. 2, S.D. 2
H.B. No. 1130, H.D. 1, S.D. 1
H.B. No. 1133, H.D. 1, S.D. 2
H.B. No. 1149, H.D. 1, S.D. 1
H.B. No. 1152, H.D. 1, S.D. 2
H.B. No. 1155, H.D. 1, S.D. 1
H.B. No. 1171, H.D. 1, S.D. 1
H.B. No. 1200, H.D. 1, S.D. 2
H.B. No. 1201, H.D. 1, S.D. 1
H.B. No. 1210, H.D. 1, S.D. 1
H.B. No. 1211, H.D. 2, S.D. 2
H.B. No. 1212, H.D. 2, S.D. 2
H.B. No. 1220, H.D. 1, S.D. 2
H.B. No. 1221, H.D. 2, S.D. 2
H.B. No. 1231, H.D. 2, S.D. 2
H.B. No. 1246, H.D. 1, S.D. 1
H.B. No. 1256, H.D. 1, S.D. 1
H.B. No. 1260, H.D. 1, S.D. 1
H.B. No. 1264, S.D. 1
H.B. No. 1268, H.D. 3, S.D. 2
H.B. No. 1270, H.D. 2, S.D. 2
H.B. No. 1277, H.D. 2, S.D. 3
H.B. No. 1283, H.D. 2, S.D. 2
H.B. No. 1291, H.D. 1, S.D. 2
H.B. No. 1292, H.D. 1, S.D. 2
H.B. No. 1306, H.D. 2, S.D. 1
H.B. No. 1322, S.D. 1
H.B. No. 1323, S.D. 1
H.B. No. 1328, H.D. 2, S.D. 2
H.B. No. 1336, S.D. 1
H.B. No. 1337, H.D. 1, S.D. 1
H.B. No. 1339, H.D. 1, S.D. 1
H.B. No. 1345, H.D. 2, S.D. 3
H.B. No. 1352, H.D. 1, S.D. 2
H.B. No. 1356, H.D. 2, S.D. 2
H.B. No. 1359, H.D. 1, S.D. 2
H.B. No. 1370, H.D. 1, S.D. 1
H.B. No. 1379, H.D. 1, S.D. 1
H.B. No. 1399, S.D. 1
H.B. No. 1406, H.D. 1, S.D. 1
H.B. No. 1414, H.D. 1, S.D. 2
H.B. No. 1435, H.D. 1, S.D. 2
H.B. No. 1440, H.D. 3, S.D. 1
H.B. No. 1479, H.D. 2, S.D. 2
H.B. No. 1493, H.D. 2, S.D. 1
H.B. No. 1500, H.D. 2, S.D. 2
H.B. No. 1503, H.D. 1, S.D. 1
H.B. No. 1516, H.D. 2, S.D. 2
H.B. No. 1518, H.D. 1, S.D. 2
H.B. No. 1567, S.D. 1
H.B. No. 1568, S.D. 1
H.B. No. 1569, S.D. 1
H.B. No. 1570, S.D. 1
H.B. No. 1572, S.D. 1
H.B. No. 1605, H.D. 1, S.D. 1
H.B. No. 1608, S.D. 3
H.B. No. 1612, S.D. 1
H.B. No. 1614, H.D. 2, S.D. 2
H.B. No. 1628, H.D. 1, S.D. 1
H.B. No. 1630, H.D. 2, S.D. 2

H.B. No. 1631, H.D. 2, S.D. 2
H.B. No. 1639, H.D. 2, S.D. 3
H.B. No. 1641, H.D. 2, S.D. 2
H.B. No. 1646, H.D. 2, S.D. 1
H.B. No. 1659, H.D. 2, S.D. 1
H.B. No. 1670, H.D. 2, S.D. 2
H.B. No. 1719, H.D. 1, S.D. 1
H.B. No. 1721, H.D. 1, S.D. 2
H.B. No. 1746, S.D. 2
H.B. No. 1750, H.D. 2, S.D. 1
H.B. No. 1757, H.D. 1, S.D. 3
H.B. No. 1764, H.D. 1, S.D. 1
H.B. No. 1787, H.D. 1, S.D. 2
H.B. No. 1818, H.D. 2, S.D. 1
H.B. No. 1830, H.D. 2, S.D. 2
H.B. No. 1833, H.D. 1, S.D. 1
H.B. No. 1836, H.D. 1, S.D. 2
H.B. No. 1848, H.D. 2, S.D. 2
H.B. No. 1866, H.D. 3, S.D. 2
H.B. No. 1899, H.D. 2, S.D. 2
H.B. No. 1909, H.D. 1, S.D. 2
H.B. No. 1950, H.D. 1, S.D. 2

Representative M. Oshiro moved to agree to the amendments proposed by the Senate to H.B. No. 10 (SD 1), seconded by Representative B. Oshiro and carried. (Representatives Carroll, Nakasone, Pine and Thielen were excused.)

At 7:36 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 7:39 o'clock p.m.

At 7:40 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:05 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
53, SD1	Committee on Energy & Environmental Protection
108	Committee on Public Safety & Military Affairs
135, SD1	Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance
137	Committee on Higher Education, then to the Committee on Finance
157	Committee on Water, Land, Ocean Resources & Hawaiian Affairs

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
198	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Legislative Management

H.C.R. No.	Re-referred to:
247	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Legislative Management

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that H.R. No. 257 and H.C.R. No. 322 were re-referred solely to the joint Committees on Human Services and Housing and Health per Committee Referral Sheet No. 49 that was placed on your desk Thursday, April 5th. The Committee on Judiciary waived its referral to these measures and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 257 and H.C.R. No. 322, seconded by Representative B. Oshiro and carried. (Representatives Karamatsu, Nakasone, Pine, Thielen and Ward were excused.).

At 9:07 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:09 o'clock p.m.

Representative Takai rose, stating:

"A point of parliamentary inquiry. The motion that the Majority Leader made was to reconsider action previously taken. I just want some clarification because I do not believe that the motion was to suspend the rules."

The Chair responded, stating:

"It was to suspend the Rules of the House to reconsider action previously taken on House Resolution No. 257 and House Concurrent Resolution No. 322 which is on the Order of the Day."

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. Nos. 1543 and 1544 in referring H.R. No. 257 and H.C.R. No. 322 to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Karamatsu, Nakasone, Pine and Thielen were excused.).

ADOPTIONS

Representative Caldwell then moved that H.R. No. 257 and H.C.R. No. 322 be adopted, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in opposition to both measures, stating:

"I would like to speak against these Resolutions. These Resolutions are obviously a response to the issues of residential carehomes being built in Manoa. However, although I do sympathize with the Representative who was bringing this measure to the Floor, it does go beyond Manoa. It will cover areas anywhere in the State. This measure is supposed to take a look at whether or not it is too easy. Basically, that's how I read this. It's that, is it too easy to build a carehome?

"Mr. Speaker, as your prior Chair of Human Services, I've looked at the issues that carehome operators have faced. It's a challenge just to open one. It's a very, very huge role. It takes six months sometimes to a year to get licensed. They try to build homes that will comply with the very strict standards that are set. Carehome operators care for a lot of our elderly, people with disabilities, people that are related to us, people who are aged. They have to find homes. People that were in Waimano Home, but were ordered by the courts that they should not be institutionalized can hardly find homes. There's not enough adult residential carehomes to care for all those individuals out there that we are responsible for.

"If we are going to move on this, and the House is saying that we should adequately look at this issue, and the attitude is that it's too easy and we should make it harder, I think we're going the wrong way. If what's being addressed here really is the issues in Manoa, I will trade you the transition homes in Waipahu and have all of those adult residential carehomes in Waipahu, it's fine. Because you know it's easier to open a transition home than it is a residential carehome.

"And mind you, Mr. Speaker, that this bill is certainly an outcry from a special group or a special community. However, it is detrimental for the carehome industry that is necessary to benefit those who are less fortunate, those who are disabled or aged, and those who cannot fend for themselves. We are going backwards. Thank you very much."

Representative Cabanilla rose to speak in opposition to both measures, stating:

"Mr. Speaker, I rise in opposition to these Resolutions. I was not expecting to see this today. I thought that we had eliminated these Resolutions, and now, it's here. And I am speaking just to remind the body how much savings these carehomes give to the State. Usually, when you send these elderly people to nursing homes, which we don't have enough of to begin with, they usually cost anywhere from $6,000 to $7,000. These carehomes save the State hundreds of thousands of dollars every year. Families taking them into their homes, anywhere from $1,000, $1,050 to $2,600. By restricting the building of more carehomes, we are putting more burdens on us to come up with more tax dollars to finance them. Not to mention that they get better care in carehomes.

"I believe that this problem comes from the publicity of the carehomes in Manoa. So I say that this bill is a NIMBY issue. The two problems that we're facing are that most of the older neighborhoods have to take these carehomes now because we're moving into planned communities. And planned communities in their covenants do not accept carehomes. I see the point if, it's being asked to expand more residential communities for carehomes. But this measure is restricting them.

"We've heard and read bills in the Human Services Committee against outsourcing our elderly. Sending them to the mainland because we don't have enough care. And we have an outcry for those. But we cannot have it both ways, Mr. Speaker. We don't want to send our elderly to the mainland, but yet we do not want to expand services for them as well. I think that we need to make a decision here. Do we want to save money in caring for our elderly? Do we want to keep them in our community? Or we will go with this NIMBY issue. And that's my case, Mr. Speaker."

Representative Manahan rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. I also rise in opposition to these measures. Just the other day we had a group of carehome operators, quite a significant number of carehome operators, who had taken an issue with the way the Department of Health was conducting their inspections. I don't think that the Department of Health should be conducting the study for one. And until those issues are resolved, I would have serious concerns, and I would like to insert written comments."

Representative Manahan's written remarks are as follows:

"Mr. Speaker, I believe residential carehomes will soon become the backbone of our geriatric and palliative care. Residential homes are an alternative to institutionalization, providing an environment where our elders who are more independent and require a more basic level of medical attention can enjoy their golden years with a minimum of interference. These homes assure that the clients maintain the highest level of independence and dignity, while at the same time ensuring the safety that completely independent living cannot ensure. Although it is true that the homes are not subject to the same kind of zoning requirements that other businesses are, the proprietors of these important businesses are required to have facility experience and be licensed by the State.

"Proponents of this measure have cited traffic and parking concerns, for the most part this is simply untrue. Many of these seniors are in carehomes because they are not mobile and do not own vehicles, the operators in most cases do their shopping, run their errands, and assist in recreational activities.

"As for trash collection, noise, and EMS services, these problems are present in every corner of Hawai`i, be it rural areas with lack of ambulance services and trash pick-up or crowded streets and apartments that EMT's have difficulty getting to. Mr. Speaker, we are not describing twenty-year olds that move in to an apartment and party. These are our elders; they make no more noise than they would if they were the relatives of the people residing in the area.

"The alternatives would be commercial care which would burden the taxpayers even more than presently as registered nursing staff and doctors would need to be present or on-call at all times. This may also adversely affect the cost of healthcare. Mr. Speaker, as our baby boomer generation reaches its sunset we will assume, as well we should, the responsibility of caring for our mothers and fathers. Please do not let legislation such as this hamper one of our most important tools in this challenge."

Representative Magaoay rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. On those two Resolutions that we have in front of us, I stand in opposition. The reason I stand in opposition is because, as far as being a part of the Filipino Caucus, I called a meeting on Monday, a special meeting with Dr. Fukino, on caregiving. There were a lot of issues that were brought upon us. We had representatives from the Neighbor Islands, Oahu, everyone talking about it. Right now in Chapter 100, regarding the Department of Health, there was a condition regarding how the people would be looking when they come into the home for the inspection. They look for different things.

"I think for me right now, I think these Resolutions are too premature because right now, I have the consent of Dr. Fukino, the Director of Health, to work with these caregivers as they go through the process. I think you should give them the time to take a look, this year. I talked to them, and I told them whatever process we go through, whatever legislation we have to do, we can bring it up next year.

"I think right now to single out this district of Manoa, I think we have to look at it globally as we go because according to Dr. Fukino, in her statement to us in the Caucus, without the Filipinos, who are 90% of the caregivers, if we do this, there is no future for the people who come in to do this caregiving. I think we should give this more time to have them work together with Dr. Fukino and the caregivers. I think right now the caregivers and the community are coming together as one. Before they had no voice. They come together as one as we go further.

"So, Mr. Speaker and colleagues, I'm asking that we not support this. I think it's too premature. Let's wait, because they're meeting right now. This is the first time I have ever had this group meeting on a one-to-one basis, instead of have three to one, or four to one. Thank you."

Representative Ching rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. I rise with strong reservations. And I ask that the words of the speaker from Kalihi, as well as the North Shore be entered as my own. There are a lot of problems with this and as was stated earlier, I won't belabor the point, but there's a number of carehomes. We're just lucky and I've experienced this before with a loved one, we're lucky to have our carehomes and I don't know if people understand how difficult it is at this point."

Representative Finnegan rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, I'm not afraid to say, 'special interests'. The special interest in this bill is for all of the seniors and the elderly in Hawaii. We are finding that better care can happen in a community. They feel more a part of families. And what happens in adult residential carehomes is that you have families taking in elderly to become a part of their family. It's not just one, two hours, eight hours. This is 24 hours a day. It's not an easy job, but these people, the caregivers, do it because that's what they want to do. It's not easy, earning the money. Some make a good amount of money and others don't.

"Mr. Speaker, affordable long-term care, if you want that, if you want your elderly parents or grandparents to have a place to go, don't drive out caregivers from opening their homes to elderly who need them. Many times, many times I've visited carehomes and I listen to how they treat their 'clients' and it's just like family.

"Mr. Speaker, it's hard to live in Hawaii. It's hard to earn a living and it's hard for people like me who have elderly parents and you have a young family, it's hard to make that balance. What you're doing when you have things like this is, you're saying to the next generation of carehome operators, we're going to give you more challenges and there's a whole bunch of caregivers that are at the point where, do we think about closing down or can we pass this business off to our kids? Would they want to go through this? And many are not. Many are thinking, you know what, I think I'm going to take on something else that will be easier. You can make more money. And I'm just saying, Mr. Speaker, this is the wrong way to go. If there's some problems in some communities about having too many, well we have a lot of seniors to take care of. We can figure out another way."

Representative Caldwell rose to speak in support of both measures, stating:

"Mr. Speaker, brief comments in response. In support. You can read these Resolutions, word for word. Nowhere in it does it say they're against carehomes. Nowhere does it say that we're trying to keep carehomes out of Manoa. What we are saying, Mr. Speaker, is that we're an aging population, and that's been stated here by many others. The baby boomer generation of which you and I are a part of will be retiring in the next ten, fifteen, twenty years. And that is going to be a huge amount of people. Aging in homes, in residential communities is the right way to go. And these Resolutions do not say anything to the contrary.

"What they say is that with the increased demand for carehomes, are the rules and statutes currently in place sufficient to address this growing demand in our residential communities? And it's just a well thought-out approach. It's to say, let's see whether the statutes as it says here, determine whether there is adequacy of statutes and administrative rules. Are they adequate now? Do they need to be improved, rewritten, changed and so forth? And whether there's an opportunity for public notice and participation. They may say there is. And to work with the Attorney General and Director of Honolulu Department of Planning and Permitting.

"So Mr. Speaker, we're not saying by supporting these Resolutions that we're against old people in our communities. We're not saying that we're against carehomes. What we are saying is, let's step back and look as we go into the next ten, fifteen, twenty years, and that we do this in a manner that preserves the residential nature of our neighborhoods and accommodates the growing demand for carehomes. That's all these Resolutions say. Thank you very much, Mr. Speaker."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Luke then rose, stating:

"Thank you, Mr. Speaker. In light of all the discussion, I move to recommit these two Resolutions."

At this time, Representative Luke moved that. H.R. No. 257 and H.C.R. No. 322, be recommitted jointly to the Committee on Human Services and Housing and the Committee on Health, seconded by Representative Takai.

At 9:25 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:28 o'clock p.m.

Representative Sonson rose to speak in support of the motion for recommital, stating:

"Thank you very much, Mr. Speaker. I stand in support of the motion to recomit. The words that this is supposed to help the industry, on page 2 this measure, it states exactly what it's for. Whoever wrote this, it says there is apparently no regulation to provide an opportunity for public notice, review or comments, especially by adjoining property owners, regarding the pending application to establish, modify, expand above residential carehomes. That in itself is in black letters tell you the real reason for these Resolutions. These Resolutions that before you can open a carehome, expand a carehome, you have to file for an application to modify a carehome. In order to do that, this is going to require, what? Regulation, more regulation?"

Representative B. Oshiro rose to a point of order, stating:

"Point of order Mr. Speaker. The debate is only a limited debate as to the recommittal itself, and not the substance of the Resolutions."

The Chair responded, stating:

"You stand corrected. You're right. Representative Sonson, can you limit your debate to the motion to recommit? Why you are for

the motion is important for recommital. Just say that these are bad Resolutions."

Representative Sonson: "These are bad Resolutions."

Speaker Say: "Okay. That's simple and fair."

Representative Sonson: "And I can say more why they are bad. Therefore I hope that all members will vote and support the motion."

At this time, Representative Cabanilla requested a roll call vote at the appropriate time on the motion to recommit.

Representative Rhoads rose to speak in opposition to the motion for recommital, stating:

"In opposition to the recommittal. As Acting Chair of the Human Services and Housing Committee on the day these Resolutions were heard, there's no intention to shut down the industry or to harm the industry. But there is a specific situation in Manoa that's, I think, very troubling. And the testimony was overwhelming. I think these are perfectly legitimate Resolutions, and they are only Resolutions. And I think that we should vote down the recommittal motion. Thank you."

Representative Cabanilla rose to speak in support of the motion for recomiittal, stating:

"In support of the recommittal. I just wanted to say that these Resolutions are another way for the Department of Health to harass the carehome industry and put more things that need to comply with.

The Chair then stated:

"Representative Cabanilla. The motion before this body is the motion to recommit. You are in support of the recommittal. State your reason why."

Representative Cabanilla: "Because these are bad Resolutions."

The request for a roll call vote was put to vote by the Chair and upon a show of hands, was approved.

Roll call having been approved, the motion that H.R. No. 257, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF ADULT RESIDENTIAL CAREHOMES," and H.C.R. No. 322, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF ADULT RESIDENTIAL CAREHOMES," be recommitted jointly to the Committee on Human Services and Housing and the Committee on Health was put to vote by the Chair and carried on the following show of ayes and noes:

Ayes, 31: Representatives Awana, Belatti, Berg, Brower, Cabanilla, Carroll, Chang, Ching, Evans, Finnegan, Green, Hanohano, Herkes, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Nishimoto, M. Oshiro, Sagum, Saiki, Shimabukuro, Sonson, Takai, Tokioka, Tsuji and Wakai.

Noes, 17: Representatives Bertram, Caldwell, Chong, Har, Ito, Karamatsu, Morita, Nakasone, B. Oshiro, Rhoads, Say, Souki, Takamine, Takumi, Ward, Yamane and Yamashita.

Excused, 3: Representatives Pine, Thielen and Waters.

At 9:34 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:34 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Pine and Thielen were excused.)

UNFINISHED BUSINESS

S.B. No. 1283, SD 2, HD 2:

At this time, S.B. No. 1283, SD2, HD 2 was taken from the Clerk's desk and the following action taken.

Representative Mizuno moved that the House reconsider its previous action on April 10th on S.B. No. 1283, SD 2, HD 2, and that said Senate Bill pass Third Reading, seconded by Representative Green.

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise against this measure. Let me say at the onset that I continue to support the University of Hawaii and the UH Med School. My objections to this bill is based on the old adage, 'Promises made, promises kept'. This issue goes back to 1999 when we set up the Tobacco Settlement Fund. It also goes back to the University's initial commitment for the Medical School in 2001. But it also goes back to commitments made as recently as a couple years ago. And in fact, just a few days ago. If we don't hold the University or other departments to their commitments, what good are their promises? And how can we believe them in the future?

"In 1999, we created the Hawaii Tobacco Settlement Trust Fund. The then Chair of the Health Committee said, and a quote, "If all goes as planned, someday when we look back on all the issues and measures I have had the privilege of being involved with, this measure, I believe, will be one of those that I will remember as being significant and very important."

"Not two years later in November of 2001, when our nation was reeling from the attacks in New York and Washington DC, we came back in Special Session to pass a number of measures, including one to change the initial funding formula for the Tobacco Settlement Trust Fund and diverted 28% of the funding to the construction of the UH medical school in Kakaako. In 2001, we reduced our initial commitment to the Rainy Day Fund from 40% to 24.5%. More importantly, in 2001, we reduced the money going into the Tobacco Prevention and Control Trust Fund from 25% to 12.5 %. The commitment to use 28% of the funds for the UH Medical School is much more than covering $150 million bond float. It's really about spending $300 million.

"The debt service agreement was originally pegged at $302 million or around $10 million for 30 years. In addition, the University committed to raising $150 million in matching funds to cover the cost of renovating the old Biomedical Science building to cover the cost of construction of a new Cancer Research Center and to cover the operational costs of the new Medical School campus in Kakaako. In 2001, I voted against our efforts to erode the promises we originally made in 1999. My vote today is in part because of this. My vote against this measure today is much, much more. We must hold people accountable for their words, commitments, actions, and in this case, inactions.

"I would like to read from a few letters that I've received in the past. On March 25, 2003, Dr. Ed Cadman, former Dean of the UH Medical School wrote to us 'Our best guess would be that the operation and maintenance cost of the facility will be between six to seven million dollars annually. We expect to primarily fund these costs through FE cost recovery from sponsor projects.' Cadman continued, 'We understand the Legislature's expectation that the new

school campus will be financially self-sufficient and the importance of having the ability to accurately measure and evaluate the School's return on investment.'

"On February 25, 2004, David Morihara, former Director of Government Relations wrote to us, 'We anticipate that a substantial portion of the operating costs of the core facilities will be funded in future years mainly through the extramural facilities and administrative recovery mechanism and secondarily through the interest earnings on endowments generated from naming opportunities and a contribution from the ancillary services provided on campus.' Director Morihara also provided us with a chart explaining the operating cost projections from FY 2005 to FY 2009. The chart shows that there were initial State funds at $1.8 million to fund a start-up of the medical school in FY 05. An additional $3.9 million was needed in FY 06 to carry the medical school through its second year transition. However, in FY 07, which is by the way this year, the operations of the Medical School were supposed to be nearly 100% self-sufficient.

"At that time in 2004, their own figures suggested that only $364,000 was needed in additional State funds to operate the new facilities. They projected needs of $352,000 in FY 08, and $337,000 in FY 09."

Representative Berg rose to yield her time, and the Chair, "so ordered."

Representative Takai continued, stating:

"Thank you. On March 7, 2005 President David McClain wrote, 'I do want to acknowledge that with regards to the funding of the operating costs of the research building and the educational building of the John A. Burns School of Medicine, at its new location in Kakaako, initial commitments made in 2001 at the time the construction of the new facility was approved had been shown with the passage of time to have been overly optimistic.' President McClain's comments were welcomed and necessary.

"Two years ago he committed to redoing the financial plans for the Medical School. He brought in Professor Shirley Daniels to come up with a new plan. At that time, we approved an additional $3.7 million for both FY 06 and FY 07. This temporary funding was placed in our budget as a proviso because the University committed to fixing their balance sheets by June 30, 2007. According to their commitments just two years ago, they were only going to need $3.7 million for two years. Afterwards, their financial plan suggested that very little State funds will be needed in this budget for the operations of the Medical School.

"So what happened this year, Mr. Speaker? The University requested $4.1 million for FY 08, and $4.35 million for FY 09, in addition to the $3.7 million in the two year proviso. Just two years ago they said that they would need little to no State funds to operate the Medical School. And this year they say that they will need $15.8 million for the next two years in new money. This is absolutely irresponsible.

"A few weeks ago we passed our version of the State budget. I said then that I would support increasing the Medical School base by $3.63 million and $3.95 million for the next two fiscal years. Our budget was and continues to be very generous. The total general fund support to the Medical School in our budget is about $5.6 million each year. But the University said that it was still around $4 million short in operating funds, even after our very generous support in our budget. So what did they do?

"They now propose making up the difference utilizing this bill. I asked Vice President Gary Ostrander what would happen if they did not get the additional $4 million for each of the next two years. He said that they would be able to survive, but will need to make some reductions to their financial plans. I told him that his comments on right-sizing the budget were the same comments that we heard two years ago. Did the University right-size their budget two years ago? The answer is, no. If they did right size the budget two years ago, would we be in this predicament today, Mr. Speaker? That answer is, no.

"This bill will allow the University to access leftover monies from the 28% annual allotment. The University did refinance the bonds last year. And we need to acknowledge and thank them for this. Now the payment for FY 08 is $6.6 million, and the payments for the out years are a little less than $10 million each year. If this bill passes, the University will realize a lot of money. Next year with a significant increase in funds going into the Tobacco Settlement Trust Fund, we calculate that the University will realize an additional $11 million in FY 09, and beyond, if this bill passes, the University will receive an additional funds in excess of $8 million each year. How can we in all good conscience provide this amount of funds to the University?

"What we are saying with this bill is the University is no longer responsible to keep their commitments, no longer required to keep their financial books balanced because they can always come back to us if they should fall short. Is this a good message? My answer is, absolutely no.

"I want to talk a little bit about our commitment to the Cancer Research Center. Recall that in 2001, when we approved the use of the Tobacco Fund for the Medical School, that the University commitment was to provide the necessary funds to construct a new Cancer Research Center facility. Last year we passed SB 2961 which became Act 316. This bill increased the cigarette tax from $1.40 per pack, to eventually $2.60 per pack in 2011. Some of this increase was to pay for the construction and operations of the new Cancer Research Center. In fact, the University will receive $11 million, $16 million and $22 million for the next three years for the construction and operations of this new Cancer Research Center. Last year, in my Floor speech …"

Representative Nishimoto rose to yield his time, and the Chair, "so ordered."

Representative Takai continued, stating:

"Thank you. Mr. Speaker, I will continue, but just say this. I was not going to give this speech two days ago. In fact, I was going to submit it. But I feel compelled tonight to say this speech because I think it's needed. And I think our Members, especially the new Members, need to be educated about the history about this particular situation. Thank you.

"Last year, in my Floor speech I said the following. And I quote, "Years from now when we look back on this particular bill, and our allocating of funds for three years to the Cancer Research Center, I don't want us to again be placed in a predicament to increase funding for the operation of these new buildings. The University and their leaders must be held accountable to their commitments. The taxpayers and in this case the smokers deserve no less."

"Finally, Mr. Speaker, I want to thank those Members who stood strongly against this measure just two days ago. There should be no regrets. Your vote was a message to the University and to all those who spend taxpayer dollars that you must honor your promises. You must honor your commitments. I realize this Floor speech is a little long, but I felt as I said before, compelled to say these words and I hope that I have clearly explained that our no votes two days ago were based on sound public policy and sound fiscal policy. There is no need for apologies, and no needs for regrets. Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in support. Thank you. Mr. Speaker, just recently we've already been talking about doctors

leaving our State. The shortage of physicians in Hawaii, especially the Neighbor Islands, and the extreme measures that we need to take to ensure proper, accessible quality healthcare in our State.

"Mr. Speaker, currently we're in a crisis. We are in a 'perfect storm', when we're talking about healthcare. You've heard the Chair of Health, the only medical doctor of all the State legislators, tell us how badly we're in it. He of anyone would know. In addition, Mr. Speaker, on Tuesday we talked about the Hawaii Health Systems Corporation. We looked at the twelve hospitals. We looked at the possibility of the Senate version, how that would break it up. And we actually studied, debated and came up and accepted a floor amendment. I thought that that was great in the sense that it addressed the concerns that we had and we were able to keep intact HHSC at least our version, coming out of the House, that will come out of the House.

"The importance of that is we have problems with the administrators there. In fact, at the Health hearings and the Finance hearings, they were the first to admit that their problems, that they want to address the problems. They want a second chance. And I believe with that floor amendment, we were giving them a shot at a second chance. We did not break up the twelve hospitals. If we count Kahuku, that's thirteen."

Speaker Say: "Representative Mizuno, will you …"

Representative Meyer: "Mr. Speaker, what bill is this?"

Speaker Say: "I'm asking him to confine his remarks. He's getting off the bill."

Representative Mizuno continued:

"I'm sorry. On SB 1283, this bill is so important because it addresses many of the concerns and bills that we talked about this Session. In this bill you will see such issues that relate to bills that we saw regarding tort reform, rate regulation, medical reimbursement, start new programs to try to keep doctors here, ways to attract and retain more positions, keiki care, longterm care, trauma care. All these have one thing in common. They relate to this Senate Bill. And how do they relate? Because they relate to our doctors.

"Our doctors going to our Medical School need to stay here so they can address those types of healthcare issues that I just talked about. Without them, we're going to be past the healthcare crisis. Mr. Speaker, 62 graduate from the medical school every year. It doesn't sound like a large amount, but Mr. Speaker, of those 62 medical students, two-thirds or approximately 41 will go to the mainland. This is to complete their residency which could last anywhere from three to six years. In addition, we should note that the other one-third will remain here. And in all likelihood, they will stay here. The importance of that is we are keeping a steady of stream doctors in the State of Hawaii. Moreover, I should note that 90% of our medical school students are residents of Hawaii. 90%.

"Furthermore, Mr. Speaker, I wanted to cite real quickly an e-mail I got from George Massengale. He represents the Coalition for a Tobacco Free Hawaii. And in it he writes, in relevant part, 'Mahalo for not voting to pass Senate Bill 1283, which would have allowed the University of Hawaii Medical School,' and this is the important part, 'to keep unused portions of their tobacco settlement allocation for operating expenses.'

"Now why I bring this is up is because he hit it right on the nail. Keep unused portions of their—this is the UH Medical School's, their tobacco settlement allocation, for operating expenses. What this is, Mr. Speaker, it's called the excess. If you have an excess amount, that money without this bill will go to the Department of Health, supposedly for tobacco cessation programs. But we don't know, we don't know exactly. So if we're going to do an audit, and we should do both. Both on UH Medical School and both on the Department of Health. Because I agree with the speaker from Newtown, Pearl City. We need to make people accountable. There's no doubt there's a lot of truth in what the speaker from Newtown, Pearl City said. I agree."

Representative Sagum rose to yield his time, and the Chair, "so ordered."

Representative Mizuno continued stating:

"Thank you. Mr. Speaker, in April of 2005, the Kakaako Medical School opened its doors. It's still in its infancy stage, Mr. Speaker. We've got to give it a chance. We are in a healthcare crisis. We need to get this school established. We need to get that stream of doctors to continue to come and stay in our State and not leave.

"Also, Mr. Speaker, I agree that we need more accountability and I agree that we should learn from our history. History is important. We can learn from our history. But we're now looking in present to work for our future. We need to work to make sure that healthcare is not a privilege, but a right. Thank you, Mr. Speaker."

Representative Chang rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. All of us who are in the Legislature two years ago were very proud, and rightfully so, in our role in helping establish the new Kakaako facilities of the Medical School. Were we mislead by unmet promises as we heard from the previous speaker from Pearl City? The answer is obviously, yes. And I thank him for his historical perspective that was very important for our education. But that was then, and this is now, and we're discussing the operation of survival of our investment in our State's healthcare.

"This development has transformed a blightened, rundown neighborhood into one of the brightest areas of our State, as a showcase for modern medical education and health-related research. It holds the potential for serving as the catalyst for the growth of the medical biotech industry that improves human health, and extends human life. But the John A. Burns School of Medicine, also known as JABSOM, is much more than a shiny new building. It has produced more than half of Hawaii's 3,000 active physicians. It has taken steps to alleviate the shortage of doctors on our Neighbor Islands by establishing a medical residency in family practice later this year at the Hilo Medical Center, and plans to expand this residency to Kona, Kauai and Maui in future years.

"Its annual class of 62 medical students includes some of the best and brightest youths in our State. Our students excel. In nine out of ten past ten years, our JABSOM graduates scored above the national average in US medical licensing exams. JABSOM was listed this month in the US News and World Report 2008 rankings of America's best graduate programs. JABSOM's geriatric medicine program is rated 12th best in the nation outdoing other medical schools that have far older reputations and far larger resources than Hawaii's. Our program was recognized for its work with senior citizens, homes to improve medical care for our elderly, and for its research to help our elderly lead healthy productive lives.

"JABSOM's faculty are also spearheading research into some of Hawaii's most urgent problems, such as studying the medical consequences of crystal methamphetamine on the human brain and cardiovascular system, experimenting with the medicines that reduce the strong addiction to ice, and opening a clinic to assist pregnant women who are addicted to ice. Just this past Tuesday, Mr. Speaker, in the *Advertiser's* headlines, it announced a possible partnership being considered by the Center for Disease Control and Prevention with JABSOM. A prime example of the opportunities that is available for our medical school that will serve as an example of other partnership possibilities.

"The expenditure of tobacco settlement funds on JABSOM is consistent with the special funds goal of preventing smoking and dealing with its consequences. UH medical students and faculty

educate high school students about the harmful effects of tobacco through the student health education program. The ill effects of smoking is a part of its basic medical education curriculum and scientific research. JABSOM's Dr. Elizabeth Tam holds an endowed chair on respiratory health, which is leading research into the cause, prevention and treatment of respiratory diseases.

"But there is a cost associated with operating and maintaining these facilities. Recent increases in utility rates have hit JABSOM especially hard because of the heavy energy use by its round-the-clock labs and scientific equipment. According to the administration, the annual cost of operating and maintaining the new Kakaako facility is about $9 million a year. I know there's concern about the level of State support that's needed by the Medical School. That is why we are requiring the University of Hawaii to complete, as soon as possible, a long-term business plan that incorporates the operational cost of its Kakaako facilities and projected overhead income generated …"

Representative Har rose to yield her time, and the Chair, "so ordered."

Representative Chang continued, stating:

"Thank you. Generated by extramural research and training. I ask for your support, Members, on this measure because the funds provided by this measure will help JABSOM maintain a standard of excellence including quality faculty and staff that benefits the health of Hawaii's people now and into the future.

Representative Karamatsu rose in support of the measure and asked that the remarks of Representative Chang be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Luke rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'll keep it real brief. In opposition. One of the things I keep hearing is that you know if we don't fund the Medical School, somehow it will put the Medical School in jeopardy and that's not true. Regardless of whether we give the Medical School this funding, certain UH officials have stated that they will reshuffle the funds to pay for the operation and the debt service of the Medical School.

"If you look at the entire operation of the University System, the cost of the Medical School is really miniscule compared to what they actually bring in. It's part of State funds, its part of other type of grant money. Also, tuition money. And in fact, I'll give a suggestion to the University, of how they can save some money. They should fire Herman Frazier because he wasn't able to hire two coaches and not able to … But I digress.

"Let me just say that I do appreciate the Majority Leader's quote on Tuesday, going to the motion to reconsider. The Majority Leader stated that the Democratic leadership did not lobby hard for this proposal. Clearly at that point it was not a priority, and instead let members vote their conscience. Unfortunately, maybe things have changed and now on the House Floor we have this motion to reconsider, and Members are being asked to change their vote.

"So Mr. Speaker, if I could ask the Majority Leader to yield to a question, and let me ask the question first."

The Chair addressed Representative Caldwell, stating:

"Representative Caldwell, would you like to yield to a question? Or no?"

Representative Caldwell: "No."

Representative Luke: "Thank you. And then I'll ask him privately."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. On Tuesday night when we last took up this measure, I had to leave. First time I've ever left the Floor during session my three years here. The reason I had to leave was to go back to my community where I had a group of 300 individuals in Kona who were dying to hear how we can better assist West Hawaii in the healthcare area.

"We have such an extreme shortage of physicians on the Big Island in all disciplines that I felt it was necessary to actually leave, when we still had probably about 15 votes in the calendar, to catch a plane to go back for four hours to talk to my people about how we can get doctors to stay in Hawaii. And how we can get doctors to basically be trained in Hawaii. I heard person after person in a desperate state, absolutely desperate, that they can't find an oncologist, that they can't find an orthopedic surgeon. Mr. Speaker, they can't find primary care physicians. And so I didn't have the opportunity to vote two days ago, but I'm actually grateful to have the opportunity to vote tonight on this measure.

"I do recognize and respect the history that's been given to us about our commitment in the past to the Medical School and the Cancer Research Center. But today, 2007, as my Vice Chair stated, we do have a significant healthcare crisis and we all know it. We can debate all the different remedies, but one of the important remedies is to train doctors here in Hawaii. If we train them here, they will stay here. They will be committed to the people of Hawaii. They'll be committed to the families of Hawaii. I don't really think I could go back to my community, it would be actually gut-wrenching to go back to my community and tell them that I cast a vote against supporting the Medical School in any way possible, be it from general funds or tobacco settlement funds or any funds.

"We have to commit ourselves to this healthcare crisis and there's no better way than to train doctors in Hawaii. So I'm absolutely committed to this vote, if for no other reason than to send a symbolic message that we are as a Legislature going to train doctors here in Hawaii and that we're going to solve this healthcare crisis together. Thank you, Mr. Speaker."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. I would like the words of the Representative from Newtown inserted in the Journal as if they were my own. There's some misconception here that if we don't do as the Medical School wants, the Medical School's going to shut down. And that just simply isn't so.

"One speaker talked about the University Medical School being in its infancy. The Medical School was operating in the old facility for many, many years. So it's not in its infancy and it's not going to stop operating because we don't 'fork up' this money. I think very good arguments have been made about people keeping their commitments. When the head person at the Medical School was asked if they didn't get this money, could they carry on? And they said, 'Yes. But it would be difficult.' They'll have to make some difficult decisions.

"But you know, I think we have a responsibility. We hold the purse strings. There are many, many fine things that need funding, but I have a real problem with the people that have not kept their word and I think that they need to buckle down and get a plan and see where they're going. Get more grants. I mean, they've got a fabulous facility, there's another building planned next door. They're going to do fine. But we have to wean them off. It's not like every time they need more money, they come here. Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"Yes Mr. Speaker, I rise in support. May the words of the Representative from Hilo and Kona entered as my own. And I just wanted to say, I actually voted against this in the previous vote, but then left so I wasn't recorded. But just from hearing what the Chair of Finance said, and I'm really, really glad you didn't put me on the Finance Committee. I thank you for that right now. Because I recognize how difficult his job is and what he needs to do to find the funds to keep our State balanced and the budget going. So I support this to support his efforts to try to find the money that we need to keep going. Thank you."

Representative Wakai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this motion to reconsider. Thank you, Mr. Speaker. I look at the way lawmakers have cut up the Tobacco Settlement money and there is really no rational reason for the how the pie continues to get sliced up. Percentages, to my recollection, were simply pulled out of the air. For three years there has been a lack of accountability. Does the Hawaii Tobacco Prevention and Control Fund really need 12.5% of the settlement each year? Who's to say 10% isn't better? Perhaps 20% isn't better.

"I also find it astonishing that we have no idea how much is in the Tobacco Prevention Fund or how the monies are being used. The UH Medical School gets 28% of the settlement and has yet to create a business plan. Now they want more money with no real roadmap to being self-sufficient. JABSOM's a point of pride for the community, certainly, but since being built has always been in a financial crisis. When does that crisis come to an end?

"Perhaps we should take a step back. Freeze distribution of the tobacco monies and make the various beneficiaries validate their take of the settlement money. None of the beneficiaries have ever done that. We're talking about $1.14 billion over twenty years. I believe it's time to clear the smoke and be financially responsible."

Representative Saiki rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. First of all, I'd like to incorporate written comments, as well as the comments of the Representative from Pearl City. And I will summarize my written comments.

"I really felt that one of the priorities for the House this Legislative Session and the next Legislative Session was to tighten our standards; the standards by which we operate. Because if we do that, I know that the work product and the policy that will result from the process will be substantial and will be good and positive for the entire State.

"My concern with this motion is that a motion for reconsideration, although it is permitted, by Rule 49, in section 450, is really an extraordinary motion. And for us to consider a vote that was taken on Third Reading where the House voted by 25 to 21 to kill a bill, is really extraordinary. And I feel that when we entertain a motion to reconsider a vote like this that there should be a higher standard by which we use to justify this kind of a vote. I don't believe that those circumstances exist in this situation.

"Some will argue that some Members were absent on Tuesday and were unable to cast their vote. Some will argue that the Members had been educated on this issue between the night of the vote on Tuesday and this evening. I don't believe that those two situations rise to the standard that warrants reconsideration. With all due respect to Members who were not here on Tuesday, the Floor session was noticed to the entire public, and if Members could not be here to vote, then that is unfortunately their responsibility.

"And as far as educating members between Tuesday, the night of the vote, and today, the Members had an opportunity to be educated and the leadership had an opportunity to educate the Members on this measure in Committee and on the Floor and in Caucus. And the leadership did not do that. For these reasons, I oppose this motion. Thank you."

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I am in opposition to the motion to reconsider action previously taken on S.B. 1283.

"Two days, ago, on April 10, 2007, the House voted against S.B. 1283 on Third Reading. The vote was 21 in favor and 25 opposed. Five members were absent and did not vote.

"Today we are being asked to reconsider that vote. I oppose the motion for three reasons. First, while I acknowledge that Rule 49 and Section 450 of *Masons* permit motions to reconsider, the House has not used this procedural motion in modern history to reverse this body's disapproval of a bill on third reading. In other words, the motion being presented today is unprecedented. Second, the House is using a lax standard to evaluate this motion. Third, there is no justification to reconsider our previous vote.

"The Democratic leadership is offering two arguments in support of this motion. First, that five Members were absent on Tuesday. Second, that Members have been "re-educated" on S.B. 1283.

"Both arguments are insufficient to meet the high standard that should be used to evaluate a motion to reconsider. By analogy, the House should consider adopting a standard like that used by the Circuit Courts. Rules 59 and 60 of the Hawaii Rules of Civil Procedure impose stringent standards for motions to reconsider. For example, reconsideration is deemed appropriate only upon a showing of (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time; and (3) fraud. None of these factors exist with respect to S.B. 1283.

"Today, the House has opened the door to disgruntled third parties to request reconsideration whenever (1) a member is absent and/or (2) there is a shred of information pertaining to the measure that could or should have been presented to this body prior to the underlying vote, but was not. Without a stringent standard in place, it will be virtually impossible for the House to adequately evaluate (and deny) requests to reconsider in the future. The lax standard that is being adopted today could apply to virtually every vote taken by this body.

"There has been no change in circumstances since our vote on Tuesday. If there are reasons other than the two cited above that warrant reconsideration, then the Democratic leadership should publicly disclose them.

"The action being taken on S.B. 1283 is just one example of the need for this body to heighten the standards by which we make decisions and manage legislation. If we heighten standards, we will enact more substantive, progressive and far-reaching legislation that will benefit the entire State. If we do not, then we will continue to hold this body hostage to narrow interests (with unobstructed access to the Legislature) that may be unconcerned with the impact of their actions upon the rest of the State.

"For these reasons, I oppose the motion to reconsider."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. I wanted to look at both sides of this issue and I just very much would like to see our doctors be supported as was said. In fact, I'd ask to incorporate the words of the Representative Kalihi, as well as the one from Kona and they do make a difference, especially in tobacco control. But you know in a bigger picture, the Medical School is a shining jewel for

our State. If we want to be the Wellness State, which I think we are positioned to be, uniquely between west and east, and I have my friends from the East Coast who are saying, 'I want to learn Chinese medicine'. And then I have relatives who tell me, 'Your husband, a western medicine doctor, should go to China and practice there because they're in such need of Western medicine'.

"The truth is that we're so uniquely positioned to be the Wellness State and the shining star is the Medical School. It has so much potential. I remember Dr. Ed Cadman. I respect him highly. And I just would hate to see, because of feeling that, well, you know, they need more money, they shouldn't ask for more money, etc. Do we really want another Aloha Stadium maybe? You know, where it's not properly taken care of. It has potential to be excellent. It has the potential to make us excellent. And for that passion for excellence and for our people, for the health of our people, I would like to vote yes. And may I ask that the words of also Representative from Hilo as my own," and the Chair "so ordered." (By reference only.)

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the measure, stating:

"Brief comments in support, Mr. Speaker. Also would like to incorporate the comments of the Representative from Hilo as if they were my own. As far as a motion to reconsider action previously taken, under *Mason's*, there's no requirement of a higher standard. It's a procedure that is used in Legislatures throughout the United States. In fact, if there is a request that there be a higher standard, then that is stated in *Mason's*, that the proper approach would be submitting a resolution asking this House to vote on it. But there is no higher standard.

"As far as what occurred with the previous vote, I do stand behind my comments that initially we left the body to make the decision on its own. But in the end after further reflection and people looking at it and understanding the issue and understanding there is no vehicle to take to Conference, people wanted to reconsider their vote. As it's happening today, we did have debate on Tuesday. We have further debate this evening. All in sunshine, in front of the entire State. Thank you very much, Mr. Speaker."

At this time, the Chair stated:

"A lot of discussion has been stated at this point."

Representative Souki rose, stating:

"Mr. Speaker, I ask for a roll call vote at the proper time."

The Chair responded, stating:

"It's going to be a vote by both Majority Floor Leader and Minority Floor Leader with the green slips and the pink slips, Representative Souki, so there is that form of roll call.

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this motion to reconsider and pass on Third Reading. Mr. Speaker, we have recently learned as early as this morning that according to the National Science Foundation report, that the amount of federal research money coming into Hawaii has more than doubled to $169.4 million in 2004, from $81.3 million in 2000. We've also learned by that same article in the *Star-Bulletin* this morning, that the University of Hawaii School of Medicine is the second largest generator of funds from international, State and private grants and federal grants of the University, bringing in $61 million in 2005. Given these types of numbers and given the report that the Medical School will be entering into a possible partnership with the Center for Disease Control, I think it would be a more prudent approach if we were to wait for that long-term plan that has been promised. For that one reason I think this measure is bad.

"A second reason is advanced by the Interim Dean of the Medical School himself in an April 2nd, 2007 memo in which he states that the expenditures of these funds is consistent with the special fund's goal of preventing smoking and dealing with its consequences, because medical students and faculty educate high school students about the harmful effects of tobacco through their programs. Using that logic, Mr. Speaker, then we should also be funding from the Tobacco Settlement Fund the operating expenses of the School of Nursing and the School of Social Work, where students and graduates also work in these areas.

"A third reason I'm concerned about this proposal Mr. Speaker, is that over the next 17 years we will be diverting $35 million from the Emergency and Budget Reserve Fund or the Rainy Day Fund. This Fund, according to statute, is supposed to be a fund for times of emergency, economic downturn or unforeseen reduction in revenues. Mr. Speaker, we may be in good economic times now, but as any financial planner would advise, we should be saving for that time of emergency or economic downturn. Again, Mr. Speaker, a more prudent approach, especially in light of the past broken promises, is for this Legislature to wait for that promised long-term business plan that incorporates the Medical School's operational costs and its proposed overhead incomes generated by grants from the federal and private sectors. And for those reasons, Mr. Speaker, I'm opposed to this bill."

Representative Saiki rose to respond, stating:

"Brief supplemental comments in response to the argument that *Mason's* does not provide for higher standards. Section 463 actually invites the Legislature to heighten standards on a motion for reconsideration. The bottom line for me is that there was nothing that was discussed tonight that is new. That we did not or should have known about prior to the vote on Tuesday evening. There have been no intervening changes between the vote on Tuesday and this evening. And my concern is that unless we heighten the standard for a reconsideration motion, that we really open the door to anyone on the outside, to third parties, to interested parties, to advocates, to come back to the House whenever they disagree with one of our votes and ask us to reconsider our decision. In that situation, what will we do? What standard will we apply when we consider those kinds of request? Thank you very much."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this motion and the underlying bill. I would just like to make a few comments in response to what I've listened to for the last twenty minutes. First of all, Members should understand that this is a three page bill. It's not very long. It contains four sections. One is a section that deals with its effective date, and also its four year sunset. Another part of the bill deals with the Ramseyer format of the bill. And another section deals with the change in the Hawaii Revised Statutes section 3-28.

"What this bill does, and the purpose of this bill is to support the University of Hawaii John A. Burns School of Medicine by allowing the University of Hawaii to use its allotment of monies from the Hawaii Tobacco Settlement fund to pay for the John A. Burns School of Medicine operating expense, in addition to paying for their debt service.

"Mr. Speaker, this bill before us would allow them to use this to cover some of their operating expenses. Current law requires that 80% of the money remaining to be deposited into the Emergency

Budget and Reserve Fund, also known as the Rainy Day Fund, that 20% of the money remaining to go to the Tobacco Prevention and Control Trust Fund. Although this mechanism was set up in 2001, there has been no transfer of money to either the Rainy Day Fund or the Tobacco Prevention Fund because Mr. Speaker there has always been a shortfall for debt service, of about $1 million a year. And that has been made up within the University budget.

"But the Rainy Day Fund has received about $8.1 million a year and the Tobacco Prevention and Control Trust Fund about $4.1 million a year. And the Department of Health's Promotion and Prevention program, about $8.2 million dollars a year. Let's get to this bill.

"Starting next year in 2008, the State is expected to receive an increase in the Tobacco Master Settlement Agreement payments. With the increase, the University will have enough money to make their debt service payments. And based on current projections, the amount will be transferred to the Rainy Day Fund and that amount will be about $3 million. The Tobacco Prevention Fund would get an additional $790,000 for a total of $6.2 million.

"Mr. Speaker, much has been said about the promises of a former University Hawaii President, who I shall not name."

Representative Lee rose to yield her time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Mr. Speaker, I believe that that should not preclude us from moving forward on this measure and supporting the John A. Burns School of Medicine and the current interim dean of the John A. Burns School of Medicine as they explore different funding options.

"You know, I don't condone broken promises, Mr. Speaker, but I certainly don't condone punishing the innocent. I certainly don't condone punishing the institution named after Governor Burns and all the supporters, all its alumni, all the professors, and all the students who have access to medical training to become Hawaii's doctors.

"Mr. Speaker, someone mentioned tonight that the School is about two years old. I would suggest that despite the broken promises of a former University President, that we do not kill and throw out the baby with the bathwater. Mr. Speaker, the amount we provide the John A. Burns School of Medicine by this bill realistically will probably supplant, supplant, general funds currently being considered in this budget. So that the John A. Burns School of Medicine will not get a hefty windfall with any monitoring, or any accounting, but instead allow it to meet its debt service requirements that we created and endorsed back in 2001. Mr. Speaker, may I remind the Members that in House Bill 500, we appropriate about $3.6 and $3.8 million for the fiscal year to support the Medical School.

"So let's be clear about what this proposal does. Under this proposal, the Tobacco Prevention Fund will still get, still get, Mr. Speaker, over $2 million more each year. And the Rainy Day Fund will get over $4 million per year. The Department of Health Promotion and Prevention Fund will go from $8.2 million to $12.5 million, Mr. Speaker.

"Finally Mr. Speaker, there is a provision in this measure that requires reporting of all expenditures and receipts of funds to the University of Hawaii Medical School to the Department of Health and to the Hawaii Tobacco Prevention and Control Trust Fund. It will have to account for the receipt of any monies and expenditure of any monies. Mr. Speaker, for that reason alone, this bill is important. If we want to hold all these entities accountable for the expenditure and use of the public's money, then we need these provisions and the provisions in this measure.

"Mr. Speaker, finally, to address the concerns of people who are very vocal and concerned about this, the Coalition for Tobacco Free Hawaii, and I hope they are listening in. In 2006, Hawaii was listed 14th on their list. This year, Mr. Speaker, we are 7th on the list. And I believe Mr. Speaker we remain at 7th on their list or go even higher because Hawaii meets the requirement of having appropriated and spent 20% to 25% of the monies from the Tobacco Master Settlement Agreement on tobacco-related prevention and cessation programs. For this reason, Mr. Speaker, I support this motion and I support the passage of this bill. Thank you."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"I want to declare a potential conflict, Mr. Speaker. I am on the board of the John A. Burns School of Medicine Friends Board," and the Chair ruled, "no conflict."

The motion that the House reconsider its previous action on April 10th on S.B. No. 1283, SD 2, HD 2, and that said Senate Bill pass Third Reading, was put to vote by the Chair and carried, and S.B. No. 1283, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Third Reading by a vote of 34 ayes to 15 noes, with Representatives Belatti, Berg, Evans, Finnegan, Har, Luke, Meyer, Morita, Nishimoto, Rhoads, Saiki, Takai, Takamine, Takumi and Wakai voting no, and with Representatives Pine and Thielen being excused.

At 10:26 o'clock p.m., the Chair noted that S.B. No 1283, SD 2, HD 2, passed Third Reading.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1941) recommending that S.B. No. 1004, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Third Reading by a vote of 27 ayes to 20 noes, with Representatives Chang, Ching, Evans, Finnegan, Hanohano, Har, Ito, Lee, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Sonson, Souki, Tsuji, Wakai, Ward, Yamane and Yamashita voting no, and with Representatives Karamatsu, Nakasone, Pine and Thielen being excused.

At 10:29 o'clock p.m., the Chair noted that the S.B. No. 1004, SD 2, HD 2, passed Third Reading.

At 10:29 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:36 o'clock p.m.

S.B. No. 1665, HD 1:

Representative Caldwell moved that S.B. No. 1665, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"I'm speaking for the motion with slight, minor reservations, Mr. Speaker. Mr. Speaker, this is a good bill that sends a good message to all the pet owners, the pet lovers and those who may have questionable affiliation with pets. But it looks like it's going to take away the old adage that psychologists always use. You have a bad day at the office, you go home and you kick the dog. According to

this bill, you kick the dog, you get five years in jail. I would encourage the Judiciary Committee and all those who may be on it to consider that one kick not be punished so severely."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"In support with some serious reservations. And I doubt that psychologists tell you to go home, kick your dog. I really do. They're better trained than that. Frankly, my dog has better medical coverage than most of the people in my district.

"The problem I have with this bill is that, I have two dogs at home. And when that litter was born, there was about twelve of them. And the owner cut their tails off. My dogs are fine. Under this bill, he'd be charged with a felony. There is a person here, Mike Aldrin, Buzz Aldrin's son, that practices animal dentistry, and he does it without anesthesia. Under this bill, he might be charged with a felony. So those are my concerns and I hope they're addressed in Conference."

Representative Green rose in support of the measure with reservations, and asked that the remarks of Representative Herkes be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I stand in opposition on this measure. This bill attempts to elevate the status of animals to human status, asking for severe penalties to humans who knowingly harm animals. It is true, Mr. Speaker, that we should not harm animals. But I believe that this penalty to human beings asked in this bill is too severe.

"I call this the anti-human bill. I believe that proponents of this measure submit bills year after year to curtail cockfighting. This is actually an anti-cockfighting bill wherein the penalties being asked for, which is a Class C felony, the equivalent of five years in jail. I believe, Mr. Speaker, that five years in jail is too severe for our constituency who believe that this is a part of their heritage and their culture. The entire Hawaiian Islands, Mr. Speaker, from Hanalei to Kona, believe that cockfighting is a sport. Communities like Kalihi, Waimanalo, Waianae, Laie, Kahaluu and the North Shore, and especially the Neighbor Islands, believe cockfighting is a heritage. Mr. Speaker, I believe that cockfighting is a sport to some people.

"It is said that cockfighting is a poor man's sport. I believe there's truth to that because they're not here lobbying us and they cannot afford a lobbyist to represent their measure. I believe that there are so many of our constituency out there, who are very resentful of what we are about to do to them through this bill. I was in this Chamber two years ago when we made it a misdemeanor. Now it is a felony. Where do we stop, Mr. Speaker? What's next?

"To our constituents, Mr. Speaker, roosters are considered pets. Secondly, Mr. Speaker, our prisons are full. We neither have the capacity to imprison more people or build more prisons. Our prisons are now revolving doors. We spend $40 million a year to outsource our prisoners. This will compound the current dilemma of prison overcrowding. We have to concentrate more on violent crimes. A hefty fine will be more reasonable. I'm not asking this body to condone the activity, Mr. Speaker, but this bill needs more work. We now have adequate City and County laws that deals with cruelty to animals, cockfighting, protection of animals or the nuisance of roosters. We just need to enforce these laws. This is an enforcement problem. Not an issue of inadequate laws.

"Thirdly Mr. Speaker, this bill is too broad. What is a pet? This could be any animal. It could be a serpent. We have heard of children being attacked and killed by dogs such as Rottweilers and pit bulls. We never address those incidents here in this Chamber. We never wrote any stringent punishment for pets or pet owners that endanger our neighborhoods. We are quick to write laws that protect pet animals.

"In summary, Mr. Speaker, I believe that this type of penalty that we are about to vote on tonight does not fit the crime, and our constituency does not believe that it is a crime. We need to stop incarcerating our people. Because of these reasons, Mr. Speaker, I encourage you and my colleagues to turn in your green or pink slips."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Two points. First, as the Chair of Military Affairs and Public Safety, I would like to see this bill have a Finance referral because there's no language in there talking about the impact it would have on our prisons and our Public Safety Department being that it's a Class C felony right now in the bill.

"The other point I wish to make is I did point this sitting on Judiciary. You know, people that mutilate, severely mutilate, obviously, have maybe some psychological problems. Maybe they have problems with anger. We look at drug treatment and how do we prevent it and treat it, and I'd like to see in this bill some addressing of the fact that these people truly have probably some mental health issues, and there needs to be a treatment aspect to the bill. Thank you very much."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I want to read something from the National Humane Society if you don't mind. It says, Senate Bill 1665, this is the bill that I read the other day. A pet animal is described in Senate Bill 1665 as a domesticated animal kept for personal enjoyment and companionship, such as, for a hobby, for legal sporting activities regarding property and for guide, signal or service purposes, so long as it is not bred for consumption. Poultry as defined by Section 161 shall not be considered a pet animal. Game, fish and other aquatic life not in a state of captivity shall not be considered pets. I do not believe that it has cockfighting or poultry, that it's affecting that. It is only affecting dogs.

"Granted, I am a self-admitted, I hope there is no conflict, dog lover. Okay. I love dogs. I'll tell you why I love dogs. Dogs have earned the distinction as man's best friend. Whether or not you realize this, you may think, 'Well, you know, a lot has been said that pigs have the same IQ as dogs. And we eat pig and whatever and things that happen Let me tell you about what I know about dogs. They were the few animals that have served along military that have died to protect soldiers. In fact, a German shepherd was recently allowed on the Floor of Congress because of what a dog did. Dogs are now helping us in the fight against drugs. Dogs, we all well know the help they do with the blind. And what they do in terms of helping even children, autistic children, the elderly, etc., etc. And I don't think that our State, being one of only eight states that has not come up to this standard, along with pedestrian fatalities and some violence in Waikele, is helping to have an image of civility.

"Dogs are a certain breed of animal that guard, that protect, and serve, and I think that recent events in our City, in our State, constitute a look at what our laws are, and I think that by understanding that we don't treat dogs and beloved pets this way is important. I want to also share from a police officer. 'I was involved in a case,' says this police officer, 'when the boyfriend of an abused victim broke into her home and took her tiny Yorkshire Terrier. As I was interviewing the victim in her driveway, he drove pass the house in his big lifted SUV with the victim very distraught, screamed and pointed him out. I got into my marked police car and went after him. As he was speeding away, he took a right turn on to another road and threw the little dog out the vehicle window in front my patrol car.'

"Domestic violence, testified in support of this. They are mentioning how violence is very much connected to this. I never thought of this, but violence towards humans, of course, is connected to violence in animal cruelty. Law enforcement officers and prosecutors have recognized the direct link between animal cruelty and violence to humans. Since 1970, the FBI has analyzed the lives of serial killers and found that most have killed or tortured animals during their childhood. The link between animal cruelty and acts of violence."

Representative Awana rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you. Mr. Speaker. I'm just reading from testimony on the bill. The link between animal cruelty and human violence is also evident in perpetrators of more common forms of violence, including child abuse, spouse abuse and elder abuse. But what was interesting is when I read some of the testimony on domestic violence, according to one of the authors, they actually mentioned how it's used a way to hurt a person to hurt their dog, to hurt their beloved pet, that this is a form of mental torture, that they use this. And imagine, imagine a child, someone goes in, and hurts your pet. That's traumatizing.

"So, there's a problem and I just think that we need to start moving towards a more civil society and I'd like to see it start with something like this. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker. I rise in support. I'll try to keep my comments very brief, but I did feel the need to counter some of the very egregious misrepresentations of this bill. First and foremost, I did want to say that yes, this is a work in progress. That's why we have a defective date and that's what everybody's knows we put defective dates in for is we make it a work in progress so that we can continue to work on it as it moves to the process.

"Secondly, there was a characterization that kicking the dog would actually be a Class C felony that's totally incorrect. If people would read the bill on page 2, lines 11 through 15, it actually requires an intentional or knowing mutilation or torture of the animal. I don't think kicking it would qualify. Instead, what would happen is this would fall potentially, if there is serious bodily injury to the pet into the second degree, which would only be a misdemeanor. But, again, that would require the showing of serious bodily injury to the animal. So, without that, you'd still wouldn't even get the misdemeanor.

'But more troubling to me is the characterization that this in any way has to deal with cockfighting. You know, I've been here for six years. Other people have said they've been here longer, and we've never been able to pass this because cockfighting is sort of a very sticky issue for us. So we've tried to avoid it in this bill, and particularly, just deal with other animals. So, I really wish before people would debate and oppose a bill, they would read it more carefully because there is a clear definition in this on pages numbers 4 and 5. This does not include poultry so it does not include chickens. I don't know in any way how someone could misinterpret that to say this is dealing with cockfighting. It does have a definition of pet, so when they say, what is a pet, it's defined, so that pretty much is clear to me what a pet is.

"So, I think people really need to make sure that they read a bill before they clearly oppose it because this is a work in progress. It is something that the Chair is trying to work on because it's been a longstanding issue, and something that we do want to address because there are serious and very violent acts that occur to animals out there, sometimes intentional. What is worse is it's used as an act of intimidation for victims of domestic violence or just to intimidate others, and we've heard horrendous acts. And we want to make sure that people are aware that those acts have serious consequences."

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support. I'd like the words of the speaker from Aiea to be recorded in the Journal as if they were my own. And simply I'd like to say that I'm a pet lover and I believe that how we treat the least of our living creatures is a sign of our humanity. I truly believe that and I think it's long overdue that we pass an animal cruelty bill in this House."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support, but I do have some reservations. I have two dogs that I love very much, and a cat, and a Mynah bird, and I would not do anything to endanger their lives. My concern with this bill is that I think some of the definitions are too broad and too vague. What does 'overdrive' mean, or what does 'overload' means? These are sort of subjective. The definition of torment is also some concern. In this legislation it means, 'to fail to mitigate significant suffering'. What is 'significant suffering'?

"Torture is also a troublesome definition. The bill defines torture to include every act, omission, or neglect whereby unjustifiable physical pain, suffering or death occurs. Death is pretty clear, but unjustifiable physical pain and suffering, again, it's subjective.

"I am concerned about the felony charge and I do have some concerns about the chickens, the cockfighting thing because I do have a lot of constituents that enjoy that sport. My concern is on page 3 where the definition of animal includes every living creature except a human being. That leaves it wide open. We do go on in other pages to talk about what a pet is, but this could just be the beginning. You get this bill passed and then pretty soon we'll stick the chickens back in and that's a concern of mine."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with some reservations. I also am very concerned about the felony charge. I don't want to put anymore people in prison because we don't have any more room for it, so I agree with the idea of a hefty fine might be a better way to do. I think it was Gandhi that said the important way to determine a progressive society is to look at how they treat their animals.

"So, I think this is a great way to get started and looking how we do treat our animals, maybe looking at the unspeakable acts that are committed against animals every day. Speaking as a vegetarian, I must look to the rest of the animals, the cows and the sheep and the chickens that aren't used just for sport, but are slaughtered mercilessly everyday just to feed ourselves. So, I think this is a good start. It's a good way to get started. I'm taking a look at how we can become a better society and how we treat all living creatures, including our pets, but also all animals. Thank you very much."

Representative Sonson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"I'm for it with reservations, but I reserve the right to go no on Final Reading."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just to be clear, this bill amends the current cruelty to animal statute, which we're not

touching the 'overdrives, overloads, beats or starves any animal That's already in the current statute. We're not touching that.

"I also want to be clear that this doesn't have anything to do with cockfighting, whatsoever. Also, one of the comments was concerning mental health counseling. This bill does empower the court to order appropriate mental health counseling. The vast majority of Hawaii residents are kind, decent people who treat animals with care. But for the very small number of people who are capable of torturing other people's pets, prosecutors and judges need a comprehensive felony cruelty to animal law in order to impose meaningful sentences commensurate with these violent crimes.

"Research indicates that without strict intervention, people who abuse and kill animals are more likely to similarly abuse humans. Many of society's most infamous mass murderers and serial killers and a significant percentage of spousal abusers and other violent criminals initially targeted animals before turning against people. For instance, mass murderer and cannibal, Jeffrey Dahmer, killed neighbors' pets and impaled a dog's head on a stick. David Berkowitz, the so-called Son of Sam, shot his neighbor's Labrador retriever. Albert Desalvo, the Boston Strangler, shot arrows into boxes of trapped cats and dogs. Brenda Spencer, who fired 40 shots into a crowd of children, murdering two and wounding nine, had a history of setting the tails of neighborhood cats and dogs on fire.

"Again, the intent of the bill is to penalize the most egregious of acts against our pet animals and it is a work in progress recognizing what the Chair from Southern Big Island accurately pointed out that would be a felony. That's one of the things I want to look at in Conference and perhaps taking that out of the bill because that's not the types of things that this bill intended to criminalize. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Awana, Nakasone, Pine, Takamine and Thielen being excused.

At 10:29 o'clock p.m., the Chair noted that the S.B. No. 1665, HD 1, passed Third Reading.

S.B. No. 1792, SD 3, HD 3:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1792, SD 3, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Nakasone, Pine, Takamine and Thielen being excused.

At 10:59 o'clock p.m., the Chair noted that S.B. No. 1792, SD 3, HD 3, passed Third Reading.

STANDING COMMITTEE REPORTS

Representatives Evans and Ito, for the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1942) recommending that H.R. No. 210, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 210, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A TASK FORCE TO STUDY THE FEASIBILITY OF A NATIVE HAWAIIAN HEALING PROGRAM ON THE ISLAND OF KAHOʻOLAWE FOR NATIVE HAWAIIANS AND OTHER PERSONS INCARCERATED IN CORRECTIONAL FACILITIES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

Representatives Evans and Ito, for the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1943) recommending that H.C.R. No. 263, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 263, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A TASK FORCE TO STUDY THE FEASIBILITY OF A NATIVE HAWAIIAN HEALING PROGRAM ON THE ISLAND OF KAHO'OLAWE FOR NATIVE HAWAIIANS AND OTHER PERSONS INCARCERATED IN CORRECTIONAL FACILITIES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1944) recommending that H.R. No. 127, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 127, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PASS, AND THE PRESIDENT OF THE UNITED STATES TO SIGN, THE CAMERON GULBRANSEN KIDS AND CAR SAFETY ACT," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1945) recommending that H.C.R. No. 160, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PASS, AND THE PRESIDENT OF THE UNITED STATES TO SIGN, THE CAMERON GULBRANSEN KIDS AND CAR SAFETY ACT," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1946) recommending that H.R. No. 199, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 199, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES AND THE CITY AND COUNTY OF HONOLULU TO CONSIDER BUILDING A BIKEWAY CORRIDOR ALONGSIDE THE FIXED GUIDEWAY SYSTEM AND UNDERNEATH THE ELEVATED SECTIONS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1947) recommending that H.C.R. No. 249, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES AND THE CITY AND COUNTY OF HONOLULU TO CONSIDER BUILDING A BIKEWAY CORRIDOR ALONGSIDE THE FIXED GUIDEWAY SYSTEM AND UNDERNEATH THE ELEVATED

SECTIONS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1948) recommending that H.C.R. No. 163, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF CONSTRUCTING A DIRECT ACCESS ON-RAMP FROM THE KANEOHE-BOUND LANES OF THE LIKELIKE HIGHWAY ONTO THE WINDWARD-BOUND LANES OF THE INTERSTATE H-3 FREEWAY TO KAILUA IN ORDER TO FACILITATE TRAVEL AND REDUCE TRAFFIC CONGESTION IN KANEOHE TOWN," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1949) recommending that H.C.R. No. 28, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 28, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF REQUIRING VEHICLE IGNITION INTERLOCK DEVICES FOR CONVICTED DRUNK DRIVING OFFENDERS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented two reports:

(Stand. Com. Rep. No. 1950) recommending that H.R. No. 250, be adopted; and

(Stand. Com. Rep. No. 1951) recommending that H.C.R. No. 315, be adopted.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 250 and H.C.R. No. 315, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures, stating:

"I rise in strong support of Stand. Com. Rep. Nos. 1950 and 1951. Mr. Speaker, this measure is a harbinger. I would hope for the eventual internationalization and total immersion into our role as a Pacific nation, as a State with a contribution to both the U.S., as well as the Pacific Rim. Some day, Mr. Speaker, a bill like this could lead to every graduate in the State of Hawaii having had an internship or overseas experience in a foreign country before they graduate, and with the possibility of speaking two languages for everybody before they graduate. So, this is the right step in the right direction and are exciting measures. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 250, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 315, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1952) recommending that H.C.R. No. 89, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXTEND ITS CURRENT LAND LEASE WITH LEAHI HOSPITAL TO FACILITATE THE EFFECTIVE PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF A CAMPUS-WIDE MASTER PLAN FOR LONG-TERM HEALTH CARE SERVICES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1953) recommending that H.R. No. 173, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 173, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1954) recommending that H.C.R. No. 215, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 215, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPARK M. MATSUNAGA INSTITUTE FOR PEACE, LOCATED WITHIN THE CENTER FOR POLICY STUDIES AT THE UNIVERSITY OF HAWAII AT MANOA, TO CONVENE A WORKING GROUP TO EXPLORE THE POSSIBILITY OF DESIGNATING HAWAII AS THE "GENEVA OF THE PACIFIC"," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1955) recommending that H.C.R. No. 112, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 112, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIVISION OF FINANCIAL INSTITUTIONS OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW CHAPTER 449, HAWAII REVISED STATUTES, RELATING TO ESCROW DEPOSITORIES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1956) recommending that H.R. No. 228, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 228, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REPORT ON ITS EXPERIENCE WITH AND TO EVALUATE THE CURRENT SYSTEM FOR

CONDOMINIUM DISPUTE RESOLUTION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1957) recommending that H.C.R. No. 287, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 287, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REPORT ON ITS EXPERIENCE WITH AND TO EVALUATE THE CURRENT SYSTEM FOR CONDOMINIUM DISPUTE RESOLUTION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1958) recommending that H.R. No. 118, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO COORDINATE DEVELOPMENT AND DISTRIBUTION TO VISITORS OF INFORMATION ON RECREATION SAFETY AND CRIME PREVENTION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1959) recommending that H.R. No. 195, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 195, entitled: "HOUSE RESOLUTION DECLARING SEPTEMBER 28 AS CONFUCIUS DAY IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1960) recommending that H.C.R. No. 244, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING SEPTEMBER 28 AS CONFUCIUS DAY IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented two reports:

(Stand. Com. Rep. No. 1961) recommending that H.R. No. 262, be adopted; and

(Stand. Com. Rep. No. 1962) recommending that H.C.R. No. 325, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 262 and H.C.R. No. 325, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of both measures, stating:

"Thank you. Very quickly. In strong support. These measures increase marketing of heritage tourism in our islands. For the edification of members. Cultural and heritage tourism is defined as traveling to experience the places, artifacts, activities that authentically represent the stories and the people of the past and present. It includes historic, cultural, and natural resources. Heritage tourists include travelers who incorporate at least one visit to a historic sight or landmark, and is also part of a subset of visitors whose primary reason for traveling to visit is to go to historic places.

"Economic impacts of heritage tourism go far beyond the direct expenditures of tourists. Each dollar spent at a hotel, restaurant or retail shop circulates in the economy as an indirect expenditure for wages, supplies and contracts. But besides the benefit for the heritage traveler, actually cultural tourism, heritage tourism benefits the local community. More than ever, cultural and natural assets form the basis for economic development in small communities throughout the State. This mainstream approach to economic development which promotes economic development within the context of historic preservations is one of the most successful economic development strategies in the country. Economic development helps to revitalize small communities, and heritage tourism is one of the key strategies in this marketing plan to help recognize the importance of this activity. I hope that we'll all support this measure. Thank you."

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to declare a potential conflict. I have a business as a historical guide that actually specializes in this niche tourism market," and the Chair ruled "no conflict."

Representative McKelvey rose to speak in support of the measure, stating:

"Okay, in that case, I am in strong support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 262, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO INCREASE THEIR MARKETING EFFORTS IN THE NICHE MARKET OF HERITAGE TOURISM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 325, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO INCREASE THEIR MARKETING EFFORTS IN THE NICHE MARKET OF HERITAGE TOURISM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1963) recommending that H.R. No. 229, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 229, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1964) recommending that H.C.R. No. 288, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.C.R. No. 288, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO CONDUCT ACTIVITIES TO INCREASE THE NUMBER OF VISITORS FROM TAIWAN," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1965) recommending that H.C.R. No. 46, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1966) recommending that H.C.R. No. 51, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 51, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY AND ITS TENANTS' ASSOCIATIONS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1967) recommending that H.C.R. No. 107, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 107, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL, PROGRAM, AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1968) recommending that H.C.R. No. 108, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW TO DETERMINE WHETHER HOME INSPECTORS SHOULD BE LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1969) recommending that H.C.R. No. 222, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO ASSESS AND RECOMMEND CHANGES IN THE ADMINISTRATION OF STATE WORKFORCE DEVELOPMENT PROGRAMS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1970) recommending that H.R. No. 105, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 105, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR'S CONTINUED SUPPORT FOR THE ETHICAL RECRUITMENT OF NURSES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1971) recommending that H.C.R. No. 131, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S CONTINUED SUPPORT FOR THE ETHICAL RECRUITMENT OF NURSES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1972) recommending that H.R. No. 138, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 138, entitled: "HOUSE RESOLUTION URGING HAWAII'S LAW ENFORCEMENT AGENCIES TO USE THE "A CHILD IS MISSING" ALERT PROGRAM IN LOCATING MISSING PERSONS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1973) recommending that H.C.R. No. 176, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S LAW ENFORCEMENT AGENCIES TO USE THE "A CHILD IS MISSING" ALERT PROGRAM IN LOCATING MISSING PERSONS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1974) recommending that H.R. No. 154, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 154, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO REPORT ON THE STATUS OF WAIMEA VALLEY," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1975) recommending that H.C.R. No. 196, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO REPORT ON THE STATUS OF WAIMEA VALLEY," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1976) recommending that H.C.R. No. 174, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE ON CERTAIN AQUATIC SURF RESOURCES IN THE STATE INCLUDING THE COST OF FUNDING A STUDY ON THE FEASIBILITY OF CONSTRUCTING ARTIFICIAL REEFS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1977) recommending that H.C.R. No. 279, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO IMMEDIATELY REMOVE THE DERELICT SAILBOAT "DOLPHIN" FROM THE REEF IN THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY AREA FACING FRONT STREET, LAHAINA, MAUI," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1978) recommending that H.C.R. No. 63, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 63, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF THE ATTORNEY GENERAL TO DETERMINE OWNERSHIP OF THE RIGHTS-OF-WAY IN CERTAIN LANES IN URBAN OAHU," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1979) recommending that H.C.R. No. 233, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 233, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE EFFECTIVENESS OF THE DEPARTMENT'S BOATING SPEED LIMIT GUIDELINE IN DESIGNATED HUMPBACK WHALE AREAS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1980) recommending that H.C.R. No. 278, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 278, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF MAUI TO INVENTORY ITS ROADS IN LIMBO," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1981) recommending that H.C.R. No. 48, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 48, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"In strong support on this Resolution, which is a Women's Caucus measure. I don't see Representative Thielen here tonight, but she's been a strong supporter of this and I wanted to recognize her contribution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 48, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONDUCT A STUDY ON PROVIDING CHILD CARE SERVICES TO CHILDREN OF STATE EMPLOYEES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1982) recommending that H.C.R. No. 53, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1983) recommending that H.C.R. No. 77, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 77, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON PREDATORY MORTGAGE LENDING IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1984) recommending that H.C.R. No. 252, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVES IN UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1985) recommending that H.C.R. No. 281, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 281, be adopted, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF TAXATION TO SUBMIT PROPOSED LEGISLATION TO ASSIST THE DEVELOPMENT AND TESTING OF A RAPID ELECTROCHEMICAL DETECTION PRODUCT WITH TAX INCENTIVES TO PRIVATE COMPANIES FOR RELATED WORK," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1986) recommending that H.C.R. No. 317, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 317, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT A TRANSPORTATION PERFORMANCE PROGRAM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1987) recommending that H.R. No. 34, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 34, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1988) recommending that H.C.R. No. 54, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1989) recommending that H.R. No. 94, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 94, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1990) recommending that H.C.R. No. 119, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 119, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1991) recommending that H.R. No. 104, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 104, HD 1, entitled: "HOUSE RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1992) recommending that H.C.R. No. 130, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 130, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1993) recommending that H.R. No. 108, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST IN HAWAII VENTURE CAPITAL," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1994) recommending that H.C.R. No. 134, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 134, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE EMPLOYEES' RETIREMENT SYSTEM TO INVEST IN HAWAII VENTURE CAPITAL," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1995) recommending that H.R. No. 125, be adopted; and

(Stand. Com. Rep. No. 1996) recommending that H.C.R. No. 158, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 125 and H.C.R. No. 158, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the both measures with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm in support with reservations on HR 125 and HCR 158. These Resolutions urge the State to immediately begin eminent domain proceedings for Kukui Gardens. While I support affordable housing in Hawaii, I am worried about how such a condemnation under eminent domain might actually negatively affect the supply of affordable housing units.

"First, eminent domain is subject to abuse by any government employing it, and in particular for situations such as at Kukui Gardens where the property would be taken for the benefit of private individuals – the current residents of Kukui Gardens -- rather than serving an incontrovertibly public purpose such as building roads or public schools. This situation would be similar to the infamous Kelo v. New London situation, where eminent domain was allowed by the U.S. Supreme Court for non-public purposes.

"Second, since the intent of this proposed eminent domain taking would be to prevent the owners of Kukui Gardens from realizing the highest and best use of the property, and thus the highest profits, it would have a chilling effect on any developer in the future who might contemplate building federally subsidized low income housing in Hawaii. Developers of low cost housing would realize that when their federal obligation to provide below-market rentals ended, the State of Hawaii might in effect legally confiscate their property for a price below the fair market value, thus giving developers a strong disincentive to build the affordable housing we so badly need.

"Third, government-run housing, like most government ventures, tends to be inefficient and wasteful. The likely result of this proposed condemnation would be to preserve a deteriorating stock of housing with substandard occupancy rates that does not maximize land value. A private developer unhindered by state government would likely upgrade the units and keep them fully occupied, or even replace them with high-rises, thus increasing the total number of housing units available and easing our housing shortage.

"Fourth, such an eminent domain condemnation would take money out of the pocket of the taxpayers, since the money for the condemnation would then be unavailable for return via a tax refund, lowering the General Excise Tax, etc.

"If we really want to increase the stock of affordable housing in Hawaii, we should give the most efficient method of producing supply to meet demand – private housing developers – a freer reign to produce what consumers want at a price they are willing to pay, rather than letting an inefficient government agency miss the boat on maximizing affordable housing units."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 125, entitled: "HOUSE RESOLUTION EXPRESSING THE SENSE OF THE LEGISLATURE THAT THE STATE SHOULD IMMEDIATELY COMMENCE EMINENT DOMAIN PROCEEDINGS FOR KUKUI GARDENS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SENSE OF THE LEGISLATURE THAT THE STATE SHOULD IMMEDIATELY COMMENCE EMINENT DOMAIN PROCEEDINGS FOR KUKUI GARDENS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1997) recommending that H.R. No. 131, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 131, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN AND CONDUCT A POLICY REVIEW," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1998) recommending that H.C.R. No. 166, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN AND CONDUCT A POLICY REVIEW," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1999) recommending that H.R. No. 134, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A ONE-TO-ONE COMPUTER ACCESS PROGRAM WITHIN THE STATE PUBLIC SCHOOL SYSTEM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2000) recommending that H.C.R. No. 171, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A ONE-TO-ONE COMPUTER ACCESS PROGRAM WITHIN THE STATE PUBLIC SCHOOL SYSTEM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 2001) recommending that H.R. No. 136, be adopted; and

(Stand. Com. Rep. No. 2002) recommending that H.C.R. No. 173, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 136 and H.C.R. No. 173, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 136, entitled: "HOUSE RESOLUTION URGING CONGRESS TO ENACT THE UNITED STATES NATIONAL HEALTH INSURANCE ACT," was adopted, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO ENACT THE UNITED STATES NATIONAL HEALTH INSURANCE ACT," was adopted, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2003) recommending that H.R. No. 147, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS INFANTS, CHILDREN, AND YOUTH IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2004) recommending that H.C.R. No. 189, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 189, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS INFANTS, CHILDREN, AND YOUTH IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2005) recommending that H.R. No. 151, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 151, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE ACCESS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2006) recommending that H.C.R. No. 193, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ESTABLISH THE OFFICE OF LANGUAGE ACCESS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2007) recommending that H.R. No. 160, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2008) recommending that H.C.R. No. 202, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 2009) recommending that H.R. No. 162, be adopted; and

(Stand. Com. Rep. No. 2010) recommending that H.C.R. No. 204, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. 162 and H.C.R. No. 204, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of these measures. Mr. Speaker, human trafficking is a problem that plagues our world. Every year we hear of more people who have been taken from their families and homes and forced to go to places where they are used and abused. Fortunately, there is help for these people in the United States, but the process to get help takes too much time for some.

"Because certification often requires a considerable length of time to process, typically six months, there is the need for pre-certification victim services from the time that individuals are identified as trafficked persons until they are certified by federal law enforcement. It is during this time trafficked persons may experience the greatest need for services.

"These Resolutions request the Department of Human Services to assess needs and facilitate provision of social services to non-citizen victims of human trafficking. It also is an important piece of a

comprehensive approach our State is taking in compliment to the Anti-Trafficking Task Force and an eventual Human Trafficking Act to stop trafficking in our islands. These Resolutions help those who are in dire straits and can give them hope. I urge my colleagues to support these Resolutions. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 162, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO FACILITATE PROVISION OF SOCIAL SERVICES TO NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2011) recommending that H.R. No. 177, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 177, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED UNITS AT KALIHI VALLEY HOMES FROM THE LIST OF STRUCTURES SCHEDULED FOR DEMOLITION AND TO WORK WITH THE HAWAII PUBLIC HOUSING AUTHORITY TO RENOVATE THE BUILDINGS INSTEAD," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2012) recommending that H.C.R. No. 219, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED UNITS AT KALIHI VALLEY HOMES FROM THE LIST OF STRUCTURES SCHEDULED FOR DEMOLITION AND TO WORK WITH THE HAWAII PUBLIC HOUSING AUTHORITY TO RENOVATE THE BUILDINGS INSTEAD," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2013) recommending that H.R. No. 194, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 194, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A MULTIMEDIA ACCELERATED LEARNING TECHNOLOGY PILOT PROGRAM IN PUBLIC SCHOOLS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2014) recommending that H.C.R. No. 243, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING A MULTIMEDIA ACCELERATED LEARNING TECHNOLOGY PILOT PROGRAM IN PUBLIC SCHOOLS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2015) recommending that H.R. No. 222, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 222, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SEEK AMENDMENTS TO THE MEDICARE PAYMENT SYSTEM TO INCREASE REIMBURSEMENTS TO HAWAII'S HOSPITALS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2016) recommending that H.C.R. No. 282, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO SEEK AMENDMENTS TO THE MEDICARE PAYMENT SYSTEM TO INCREASE REIMBURSEMENTS TO HAWAII'S HOSPITALS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2017) recommending that H.R. No. 266, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 266, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO OPEN AND RECONFIGURE THE EASTBOUND SHOULDER LANES FROM MAKAKILO DRIVE TO THE WAIPAHU OFF-RAMP ON THE H-1 FREEWAY DURING THE MORNING RUSH HOURS TO HELP ALLEVIATE TRAFFIC CONGESTION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2018) recommending that H.C.R. No. 329, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 329, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO OPEN AND RECONFIGURE THE EASTBOUND SHOULDER LANES FROM MAKAKILO DRIVE TO THE WAIPAHU OFF-RAMP ON THE H-1 FREEWAY DURING THE MORNING RUSH HOURS TO HELP ALLEVIATE TRAFFIC CONGESTION," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 2019) recommending that H.R. No. 91, be adopted; and

(Stand. Com. Rep. No. 2020) recommending that H.C.R. No. 115, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 91 and H.C.R. No. 115, be adopted, seconded by Representative B. Oshiro.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you. I'm rising on a ruling on a potential conflict of interest. I'm a member of the Hawaii Army National Guard," and the Chair ruled, "no conflict."

Representative Takai rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"I am here today to strongly support HR91 and HCR 115, which request the United States Congress to support the passage of the National Guard Empowerment Act of 2007.

"The National Guard Empowerment Act of 2007 was introduced in the United States Senate and House, and is designed to make the National Guard a stronger and more responsible defense agency that will improve the nation's defense and improve the military's ability to support civilian authorities during domestic emergencies.

"The bills in Congress are very important to the Guard because they will require the states to work with the National Guard to identify gaps between federal and state capabilities in responding to emergencies, and they further grant the National Guard the authority to set equipment requirements and procure equipment for this domestically oriented mission.

"The bills will also elevate the Chief of the National Guard to the rank of full general and make that officer a member of the Joint Chiefs of Staff. During times of conflict, our very own guardsmen are deployed to war zones to serve on behalf of our State, and having equal representation in the Joint Staff will better serve the needs of the National Guard.

"Since the onset of the Global War on Terror, the Nation has increased its reliance upon the National Guard as evidenced by the contributions of National Guard forces, which comprised almost 50% of the combat force and 40% of the Total Force in Iraq at the peak of Guard involvement. While operations overseas continue, Pentagon leaders are engaged in the necessary transformation of the force to ensure it remains ready for the next military contingency.

"The National Guard operates cooperatively with state and local emergency officials in response to disasters and other emergencies numerous times each year. This broad experience brings with it a sensitivity to the sovereignty of the States, the prerogatives of state and local elected officials, and the culture of civilian communities.

"As beneficiaries of their courageous and dedicated service, the people of this State bear a special responsibility toward United States military forces, and I hope that you choose to honor that responsibility today."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 91, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT PASSAGE OF THE NATIONAL GUARD EMPOWERMENT ACT OF 2007," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO SUPPORT PASSAGE OF THE NATIONAL GUARD EMPOWERMENT ACT OF 2007," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 2021) recommending that H.C.R. No. 180, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE F-14 TOMCAT IN DEFENDING FREEDOM," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 2022) recommending that H.R. No. 110, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 110, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF STATE AND COUNTY INTERSECTIONS TO DETERMINE WHETHER TRAFFIC SIGNALS PROVIDE SUFFICIENT TIME FOR ELDERLY PEDESTRIANS TO CROSS THE STREET," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 2023) recommending that H.C.R. No. 137, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF STATE AND COUNTY INTERSECTIONS TO DETERMINE WHETHER TRAFFIC SIGNALS PROVIDE SUFFICIENT TIME FOR ELDERLY PEDESTRIANS TO CROSS THE STREET," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2024) recommending that H.R. No. 247, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2025) recommending that H.C.R. No. 308, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 308, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE ISSUANCE OF VISAS FOR FAMILY REUNIFICATION OF IMMIGRANT RELATIVES BE EXPEDITED," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary

presented a report (Stand. Com. Rep. No. 2026) recommending that H.C.R. No. 109, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that H.C.R. No. 109, be adopted, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, Stand. Com. Rep. No. 2026 and the following two Resolutions talk about Kona coffee and there's some really good stuff in it that. My reservation is on this measure and asking the Department of Business, Economic, Development and Tourism to do an economic analysis.

"In the hearing I was very concerned that we were asking the State to actually get into a market study, which I believe that the industry should fund and work out to determine what the price point should be for selling their coffee to the public. What is the highest amount they can charge? What's the highest amount of coffee beans to put in the coffee bag to call it Kona coffee. And it just seems like a real challenge to ask State government to try to figure that out for the industry. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE AN ECONOMIC ANALYSIS OF THE IMPACT OF CHANGES TO HAWAII'S KONA COFFEE MINIMUM CONTENT LAWS, AND REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY WAYS TO IMPROVE ENFORCEMENT OF THOSE LAWS," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2027) recommending that H.C.R. No. 110, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ADOPT ADMINISTRATIVE RULES TO ESTABLISH UNIFORM INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR ALL COFFEE GROWN IN HAWAII," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2028) recommending that H.C.R. No. 111, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES," was adopted, with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representatives Evans and Green, for the Committee on Public Safety & Military Affairs and the Committee on Health presented two reports:

(Stand. Com. Rep. No. 2029) recommending that H.R. No. 186, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 2030) recommending that H.C.R. No. 229, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 186, HD 1, and H.C.R. No. 229, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures with reservations, stating:

"I rise with strong reservations on Stand. Com. Rep. Nos. 2029 and 2030. These are Resolutions that I think are misnamed and misleading. It suggests that we store, use and then dispose of depleted uranium. And the fact of the matter is that during the hearing it was established that in 1961, Schofield had a firing and there was evidence of it. But this seems to give a message that Hawaii is somehow having much more than what otherwise there was evidence for in 1961.

"I think this is a broad buck shot rather than a bullet, trying to find and get the evidence at Schofield, so I have strong reservations on this."

Representative Sonson rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Finnegan rose, stating:

"Mr. Speaker, can you change vote to a no on both measures?"

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 186, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO TAKE ACTION TO OBTAIN ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF DEFENSE TO CONDUCT A REVIEW OF THE STORAGE, USE, AND DISPOSAL OF DEPLETED URANIUM MUNITIONS IN HAWAII," was adopted, with Representatives Finnegan, Meyer and Sonson voting no, and with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 229, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO TAKE ACTION TO OBTAIN ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF DEFENSE TO CONDUCT A REVIEW OF THE STORAGE, USE, AND DISPOSAL OF DEPLETED URANIUM MUNITIONS IN HAWAII," was adopted, with Representatives Finnegan, Meyer and Sonson voting no, and with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented two reports:

(Stand. Com. Rep. No. 2031) recommending that H.R. No. 48, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 2032) recommending that H.C.R. No. 69, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 48, HD 2, and H.C.R. No. 69, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. In support with slight reservations, Mr. Speaker. I'm all for child's rights, so don't get me wrong, but in both the Resolution and the Concurrent Resolution, what happens here is that the children get certain rights regarding freedom, quality and tolerance, just to name a few. This can possibly cause some problems. It's sort of like a balancing test. I can see where you can have potential conflict. You have a child that will tell his parents I have the right of freedom of association. I can pick my own friends.

"What really troubles me is when you have the children tell the parents, 'I have the right to go on MySpace.com and to talk to anybody I want on the Internet', and as we know, that's loaded with possible problems. The other concern I have is that the parents may also be accused of abusing their kids in not allowing their children to have these rights.

"So, again, although I certainly do support children's rights, I just still see a slight potential conflict with both the Resolution and Concurrent Resolution, but for those reasons I have reservations. Thank you, Mr. Speaker."

Representative McKelvey rose in support of both measures with reservations, and asked that the remarks of Representative Mizuno be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. I rise in opposition. Mr. Speaker, in a recent visit to Angola and to Nepal, I've seen first hand the ravages of war, poverty and child labor on children, and with the knowledge that a full one-third of the world's population, the children go to bed either hungry, malnourished, wake up in the morning and have river water, if they have anything. They have no chance of education, and, if so, a one room school house. These are the things that this invention is for. It is for those nations who do not have that and who do put their children in as soldiers, and who do treat and beat them almost the way that we've heard about the pets earlier treated. Those are the ones who pass this and make it so warm and fuzzy and then they hide behind and say, 'Well, we signed in on that'. But they don't have the civil society like we have here watching over us and they come and they bring us to court and say, the law says you are supposed to back this up, and it's not being backed up.

"So, Mr. Speaker, given what the first speaker said regarding the parental rights and the notion that you can't spank your kids and all of the kinds of things taking it away. This is really not for the American family. It's really for the families that are so deprived and so unfriendly to their children, that it's setting a higher standard, but it's the standard that we have in the U.S. that we are perfecting that is attempting to be brought down by this. So, Mr. Speaker, I rise against these measures. Thank you."

Representative Meyer rose in opposition to both measures and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. In opposition. You know, when I was a child, I may have wanted this. But now as a parent, I'm voting against it."

Representative Awana rose in support of both measures with reservations, and asked that the remarks of Representative Mizuno be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Magaoay rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Tsuji rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Marumoto rose in opposition to both measures and asked that the remarks of Representative Mizuno and Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Sonson rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Ching rose in opposition to both measures and asked that the remarks of Representative Ward and Mizuno be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Berg rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I'm so glad this is the last Resolution this evening because I rise in support of these Resolutions. Contrary to the belief that we have the perfect nation here in which children are honored, and are taken care of, according to a report from the U.S. Department of Justice, one out of five girls, and one out of ten boys will be sexually victimized before adulthood in America. According to the U.S. Department of Justice, 797,500 children under the age of 18 were reported missing in one year's period of time. 203,900 children were victims of family abductions. And these are just issues having to do with abductions and sexual misconduct.

"By now, we've all received e-mails, numerous e-mails asking us to vote against these Resolutions. These Resolutions are a symbolic measure without the force of law that invites us to adopt the U.N. Convention and the Rights of the Child. Mr. Speaker, I first of all want to thank the Home Schooling Legal Defense Association, which is a law firm located in Virginia for enabling these Resolutions to become the center point for public discussion, and of course, the last on our agenda tonight.

"The template e-mails which we have all received originating from the Virginia office represent some of the home schooling families, not all of them, and, in particular, I've received correspondence from the Unitarian Universalist home schoolers who have been writing to say that they have concerns about this law firm's position on the rights of the child. Mr. Speaker, this House passed these Resolutions in 2005 and 2006 because there was an understanding in this House of the significant leadership and the role that Hawaii can play, not only in our State, but also in the world.

"Similar to our passing the draft of the U.N. Convention on the Rights of Indigenous People in my first term when I was here in 2005, I believe that our colleagues here understand that supporting the rights of others and us ourselves, who may not have a voice does not mean that the rights that we currently enjoy are negated, usurped, superseded or disregarded.

"On the contrary. We know, I believe all of us here in our democracy, that everyone's rights are respected and honored and when that, indeed, is true, there is social justice. When that is, indeed, true, there is a possibility of peace and there is shared responsibility for building a better future for all.

"Mr. Speaker, the U.N. Convention on the Rights of the Child is not about children versus parents. On the contrary. It's about parents and guardians and adults and children. It's about parents, guardians, adults with children. And it's about parents, guardians, and those of us with responsibility for children. The U.N. General Assembly unanimously adopted the Rights of the Child on November 20, 1989. The Convention drafting process spanned ten years, during which time the United States was an active participant. UNICEF targeted 1995 for universal ratification and on February 23, 1995, Ambassador Madeline Albright signed the U.N. Convention on the Rights of the Child for President Clinton. At this point, Mr. Speaker, 192 nations, including the Vatican, and every other major industrialized nation are signatories to the Convention, with the exception of the United States and Somalia, who have not ratified the document.

"Mr. Speaker, there are 150 groups that support this, including the National Education Association, National Council of Churches, Jewish Women's League, House of Bishops of Episcopal Church, the Methodist Churches, Children's Defense Fund, the Bar Association, the American Academy of Pediatrics, the list goes on and on, Mr. Speaker. These Resolutions before us this evening, our last resolutions for this period of time, urges us once again to embrace the opportunity to 'walk the talk', and be leaders for ourselves, for our children, the nation and the world regarding the value that we place on children.

"You know, being an educator, I have opportunities to talk with many people in many walks of life, and too often we claim that children are our future. Children are our here and now, Mr. Speaker. But how can any child, in any country, even in our blessed country thrive or grow to be a productive citizen if he or she lives in poverty, lives with homelessness, lives with neglect, abuse, violence or illiteracy. The degree to which our children are safe, healthy, happy and hopeful is the barometer of our success as a society, Mr. Speaker, and these Resolutions offer a world map to wellness as a society. The home schooling law firm located in Virginia, Mr. Speaker, would have us believe several statements."

Representative Green rose to yield his time, and the Chair, "so ordered."

Representative Berg continued, stating:

"Thank you, Chair. One of the statements they would have us believe is that the Convention would allow America, 'to have its domestic policy subjected to foreign policy and control.' Where does it say that in this document, Mr. Speaker? Do we really believe that the United States will allow anyone or anything to interfere with domestic policy, let alone foreign policy?

"The home schooling law firm in Virginia would also have us believe that the right to the freedom of association given to a child means that parents cannot prevent their teenager from associating with gang members or drug dealers. Where does it say that in this document, Mr. Speaker? On the contrary. Article 5 of the U.N. Convention on the Rights of the Child, specifically states that the States Parties shall respect the responsibilities, rights, and duties of parents or where applicable the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child.

"I recently received a letter, Mr. Speaker, from a licensed psychologist in Kailua who said that according to the home schooling law firm in Virginia, she understood that the right to privacy means that parents cannot search a child's room for drugs if they suspect cigarette or marijuana use, or that they cannot forbid their 12 year old daughter from sexual activity with a 15 year old boyfriend. I don't know where it says this in this document, Mr. Speaker. On the contrary. Article 16 states that no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence and that no unlawful attacks shall be made to his or her honor or reputation.

"I could cite you many more misrepresented statements, Mr. Speaker, but suffice to say, that both the 1959 U.N. Declaration of the Rights of the Child, and the 1989 U.N. Convention on the Rights of the Child, were borne out of the recognition that children by reason of physical and mental immaturity need special safeguards and care. Mr. Speaker, the fears and unfounded concerns incited by the home schooling law firm in Virginia is that parent's rights will be usurped by a child's rights.

"I'm bewildered, frankly, Mr. Speaker, because the preamble of the Convention states specifically and I quote, 'that the family as the fundamental group of society and the natural environment for the growth and well being of its members, and particularly children, shall be afforded the necessary protection and assistance so that it, the family, can fully assume its responsibilities within the community.' And furthermore Article 18 states that to the best efforts, recognition is to be given to the principle that both parents have common responsibilities for the upbringing and development of the child and that parents, as the case may be, legal guardians, have the primary responsibility.

"Mr. Speaker, we know that a resolution does not have the force of law, and yet I urge my colleague to support these measures as statements about our ideals and common beliefs about the value of children. As the Vice Chair of the Health Committee has repeatedly implored us throughout this Session to recognize healthcare, that healthcare is a right for children. Article 24 states and I quote, 'States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and the facilities for the treatment of the illness or rehabilitation of health. The States Parties shall strive to insure that no child is deprived of his or her right of access to such healthcare services.' I thank the Vice Chair of the Health Committee for his vocal and passionate consistent advocacy for this specific aspect of the Convention.

"Mr. Speaker, I believe that we are at a defining moment and that we have the opportunity to exemplify our leadership. That is a vision of the sustainable society of healthy, productive, safe, literate, and loved individuals. Mr. Speaker, we owe a great deal of gratitude to the home schooling law firm in Virginia for bringing these Resolutions to public attention because it gives us an opportunity to pause, and think about what we're doing here in the Legislature, particularly at such a late hour of the day.

"Mr. Speaker, if we continue to do what we've always done, we will continue to get the same results in our country, in our community, and in society. By passing these Resolutions, we have a chance to interrupt the patterns of society about how children are regarded and treated, and perhaps, actually shift the course of history

to a path away from wars, the wars that we create on terrorism, poverty, drugs, violence, illiteracy, and abuse.

"In closing, Mr. Speaker, Ronald Reagan once said that we have a rendezvous with destiny. Mr. Speaker, we have an opportunity with these measures, as small as it may be, to guide our destiny. On behalf of the children in Hawaii and the world, I thank my colleagues for their thoughtful consideration."

Representative Bertram rose in support of both measures and asked that the remarks of Representative Berg be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Mizuno rose to respond, stating:

"Mr. Speaker, still with reservations. I think there's a reason why the U.S. does not yet support this. But the reason why I'm still supporting with reservations is this is a work in progress. It's going to likely to cross over to the Senate and I think we can get input from those concerned parents and organizations and maybe come out with a draft that's acceptable to all parties. I still do have some concerns.

"The previous speaker talked about sexual abuse, physical abuse, just a lot of concerns, and the very nature of online predators would be sexual abuse. In fact, we have a number of informational briefings from the Attorney General's office about this. This is widespread and predators just focus in on kids that go on the Internet, and so I'm very concerned about this, especially, when the child might think that he or she will have the right to use the computer.

"The other thing I still have a concern with is the freedom of association. Again, we know that parents will try to jump in. But, again, this can be misinterpreted. The kid can say, the children can say, 'No, I have a right to, absolute right to play or be with whomever I want to be with'.

"Finally, Mr. Speaker, I believe that we have a number of laws in existence today. We have a strong criminal code and I believe that those laws already address the concerns that were brought on by the prior speaker. Again, I still think that this is a work in progress and this could do a lot of good for both the parents and the children, so I still support this with slight reservations. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in support of both measures with reservations, stating:

"I rise with reservations on this matter, in support with reservations. I heard this in my Committee, Mr. Speaker, and I took the time to read all the 55 Articles in that Convention. This Resolution asks us to ratify the Convention even our own U.S. Congress refuses to ratify. I realized after reading all those 55 Articles that it's really very difficult to adopt this and ratify these Resolutions because they cover a lot of laws that are already in place.

"For example, it asks that we provide for free child care to every child. The State shall provide free child care. The State shall provide free medical care to children. And I think that's a subject to debate, Mr. Speaker. We should ask ourselves, can we provide it? That's one issue. And I think that those 55 Articles need to be answered one by one. It talks about child custody. We now have a lot of laws on child custody. So, ratifying this Convention would be troublesome for us because we look at laws differently from the rest of the world who had ratified it. I understood that by ratifying it, we're binding this country to an international law, just like the Geneva Convention. So, I passed it thinking that we should adopt it as a guide, but not to ratify it, Mr. Speaker. Thank you."

At this time, Representative Green called for the previous question.

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 48, HD 2, entitled: "HOUSE RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD," was adopted, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer, Sonson and Ward, voting no, and with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused; and

H.C.R. No. 69, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD," was adopted, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer, Sonson and Ward, voting no, and with Representatives Nakasone, Pine, Sagum, Takamine and Thielen being excused.

ADJOURNMENT

At 11:34 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 13, 2007. (Representatives Nakasone, Nishimoto, Pine, Sagum, Takamine and Thielen were excused.)

HOUSE COMMUNICATIONS

"HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HI 96813

April 12, 2007

To the Honorable President and
Members of the Senate
of the State of Hawaii

Dear Madame President and members of the Senate:

Transmitted herewith are said bills that you requested be returned to the Senate on April 10, 2007 pursuant to the reconsideration of its action taken on April 4, 2007.

H.B. NO. 429, H.D. 1
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY

H.B. NO. 504,
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY

H.B. NO. 1907, H.D. 1
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NO-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES.

Respectfully,
/s/
Patricia Mau-Shimizu
Clerk of the House

Approved:
/s/
Calvin K.Y. Say
Speaker of the House"

House Communication dated April 12, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 19, H.D. 2, S.D. 2
H.B. No. 30, H.D. 2, S.D. 1
H.B. No. 34, S.D. 2
H.B. No. 55, H.D. 1, S.D. 2
H.B. No. 71, H.D. 2, S.D. 2
H.B. No. 90, H.D. 2, S.D. 2
H.B. No. 104, H.D. 2, S.D. 2
H.B. No. 116, H.D. 2, S.D. 1
H.B. No. 122, H.D. 1, S.D. 1
H.B. No. 150, H.D. 2, S.D. 2
H.B. No. 154, H.D. 1, S.D. 1
H.B. No. 155, H.D. 1, S.D. 2
H.B. No. 162, H.D. 1, S.D. 2
H.B. No. 211, H.D. 1, S.D. 1
H.B. No. 212, H.D. 2, S.D. 2
H.B. No. 226, H.D. 2, S.D. 2
H.B. No. 249, H.D. 1, S.D. 2
H.B. No. 250, H.D. 2, S.D. 2
H.B. No. 257, H.D. 1, S.D. 1
H.B. No. 260, S.D. 2
H.B. No. 275, H.D. 1, S.D. 2
H.B. No. 277, H.D. 1, S.D. 2
H.B. No. 310, H.D. 2, S.D. 2
H.B. No. 317, H.D. 2, S.D. 2
H.B. No. 325, H.D. 2, S.D. 2
H.B. No. 338, H.D. 2, S.D. 1
H.B. No. 356, H.D. 2, S.D. 1
H.B. No. 357, H.D. 2, S.D. 1
H.B. No. 367, H.D. 1, S.D. 3
H.B. No. 375, H.D. 1, S.D. 2
H.B. No. 379, H.D. 1, S.D. 2
H.B. No. 399, H.D. 1, S.D. 2
H.B. No. 400, H.D. 1, S.D. 2
H.B. No. 402, H.D. 1, S.D. 2
H.B. No. 436, H.D. 1, S.D. 1
H.B. No. 451, H.D. 1, S.D. 1
H.B. No. 469, H.D. 1, S.D. 2
H.B. No. 483, H.D. 1, S.D. 1
H.B. No. 487, H.D. 1, S.D. 1
H.B. No. 497, H.D. 2, S.D. 2
H.B. No. 500, H.D. 1, S.D. 1
H.B. No. 507, H.D. 2, S.D. 1
H.B. No. 531, H.D. 3, S.D. 2
H.B. No. 600, H.D. 1, S.D. 2
H.B. No. 639, H.D. 2, S.D. 1
H.B. No. 652, H.D. 2, S.D. 2
H.B. No. 667, H.D. 1, S.D. 2
H.B. No. 676, H.D. 1, S.D. 1
H.B. No. 718, S.D. 2
H.B. No. 751, H.D. 1, S.D. 2
H.B. No. 760, H.D. 2, S.D. 2
H.B. No. 776, S.D. 1
H.B. No. 777, H.D. 2, S.D. 2
H.B. No. 791, H.D. 1, S.D. 1
H.B. No. 807, H.D. 1, S.D. 2
H.B. No. 825, H.D. 1, S.D. 2
H.B. No. 833, H.D. 2, S.D. 2
H.B. No. 835, H.D. 2, S.D. 1
H.B. No. 843, H.D. 2, S.D. 2
H.B. No. 854, H.D. 1, S.D. 1
H.B. No. 855, H.D. 1, S.D. 1
H.B. No. 859, H.D. 2, S.D. 2
H.B. No. 861, H.D. 1, S.D. 1
H.B. No. 895, H.D. 2, S.D. 1
H.B. No. 902, H.D. 2, S.D. 3
H.B. No. 910, H.D. 1, S.D. 1
H.B. No. 928, H.D. 1, S.D. 2
H.B. No. 936, H.D. 2, S.D. 1
H.B. No. 962, S.D. 2
H.B. No. 964, H.D. 1, S.D. 2
H.B. No. 987, H.D. 1, S.D. 2
H.B. No. 1001, H.D. 2, S.D. 2
H.B. No. 1003, H.D. 3, S.D. 2
H.B. No. 1004, H.D. 2, S.D. 1
H.B. No. 1008, H.D. 2, S.D. 2
H.B. No. 1018, H.D. 2, S.D. 2
H.B. No. 1034, S.D. 1
H.B. No. 1044, H.D. 1, S.D. 2
H.B. No. 1063, S.D. 1
H.B. No. 1083, H.D. 2, S.D. 2
H.B. No. 1114, H.D. 2, S.D. 2
H.B. No. 1130, H.D. 1, S.D. 1
H.B. No. 1133, H.D. 1, S.D. 2
H.B. No. 1149, H.D. 1, S.D. 1
H.B. No. 1152, H.D. 1, S.D. 2
H.B. No. 1155, H.D. 1, S.D. 1
H.B. No. 1171, H.D. 1, S.D. 1
H.B. No. 1200, H.D. 1, S.D. 2
H.B. No. 1201, H.D. 1, S.D. 1
H.B. No. 1210, H.D. 1, S.D. 1
H.B. No. 1211, H.D. 2, S.D. 2
H.B. No. 1212, H.D. 2, S.D. 2
H.B. No. 1220, H.D. 1, S.D. 2
H.B. No. 1221, H.D. 2, S.D. 2
H.B. No. 1231, H.D. 2, S.D. 2
H.B. No. 1246, H.D. 1, S.D. 1
H.B. No. 1256, H.D. 1, S.D. 1
H.B. No. 1260, H.D. 1, S.D. 1
H.B. No. 1264, S.D. 1
H.B. No. 1268, H.D. 3, S.D. 2
H.B. No. 1270, H.D. 2, S.D. 2
H.B. No. 1277, H.D. 2, S.D. 3
H.B. No. 1283, H.D. 2, S.D. 2
H.B. No. 1291, H.D. 1, S.D. 2
H.B. No. 1292, H.D. 1, S.D. 2
H.B. No. 1306, H.D. 2, S.D. 1
H.B. No. 1322, S.D. 1
H.B. No. 1323, S.D. 1
H.B. No. 1328, H.D. 2, S.D. 2
H.B. No. 1336, S.D. 1
H.B. No. 1337, H.D. 1, S.D. 1
H.B. No. 1339, H.D. 1, S.D. 1
H.B. No. 1345, H.D. 2, S.D. 3
H.B. No. 1352, H.D. 1, S.D. 2
H.B. No. 1356, H.D. 2, S.D. 2
H.B. No. 1359, H.D. 1, S.D. 2
H.B. No. 1370, H.D. 1, S.D. 1
H.B. No. 1379, H.D. 1, S.D. 1
H.B. No. 1399, S.D. 1
H.B. No. 1406, H.D. 1, S.D. 1
H.B. No. 1414, H.D. 1, S.D. 2
H.B. No. 1435, H.D. 1, S.D. 2
H.B. No. 1440, H.D. 3, S.D. 1
H.B. No. 1479, H.D. 2, S.D. 2
H.B. No. 1493, H.D. 2, S.D. 1
H.B. No. 1500, H.D. 2, S.D. 2
H.B. No. 1503, H.D. 1, S.D. 1
H.B. No. 1516, H.D. 2, S.D. 2
H.B. No. 1518, H.D. 1, S.D. 2
H.B. No. 1567, S.D. 1
H.B. No. 1568, S.D. 1
H.B. No. 1569, S.D. 1
H.B. No. 1570, S.D. 1
H.B. No. 1572, S.D. 1
H.B. No. 1605, H.D. 1, S.D. 1
H.B. No. 1608, S.D. 3
H.B. No. 1612, S.D. 1
H.B. No. 1614, H.D. 2, S.D. 2
H.B. No. 1628, H.D. 1, S.D. 1
H.B. No. 1630, H.D. 2, S.D. 2
H.B. No. 1631, H.D. 2, S.D. 2
H.B. No. 1639, H.D. 2, S.D. 3
H.B. No. 1641, H.D. 2, S.D. 2
H.B. No. 1646, H.D. 2, S.D. 1
H.B. No. 1659, H.D. 2, S.D. 1
H.B. No. 1670, H.D. 2, S.D. 2

H.B. No. 1719, H.D. 1, S.D. 1
H.B. No. 1721, H.D. 1, S.D. 2
H.B. No. 1746, S.D. 2
H.B. No. 1750, H.D. 2, S.D. 1
H.B. No. 1757, H.D. 1, S.D. 3
H.B. No. 1764, H.D. 1, S.D. 1
H.B. No. 1787, H.D. 1, S.D. 2
H.B. No. 1818, H.D. 2, S.D. 1
H.B. No. 1830, H.D. 2, S.D. 2
H.B. No. 1833, H.D. 1, S.D. 1
H.B. No. 1836, H.D. 1, S.D. 2
H.B. No. 1848, H.D. 2, S.D. 2
H.B. No. 1866, H.D. 3, S.D. 2
H.B. No. 1899, H.D. 2, S.D. 2
H.B. No. 1909, H.D. 1, S.D. 2
H.B. No. 1950, H.D. 1, S.D. 2

FORTY-EIGHTH DAY

Friday, April 13, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:17 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Chris Lee, Office Manager to Representative Belatti, after which the Roll was called showing all members present with the exception of Representatives Nishimoto, Takamine and Waters, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Seventh Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 741 through 748) were received and announced by the Clerk:

Sen. Com. No. 741, dated April 12, 2007, informing the House that pursuant to Senate Rule 66(3), the Senate has reconsidered its action taken on April 10, 2007 and requests that the following bill be returned to the Senate:

H.B. No. 581, HD 1

Sen. Com. No. 742, dated April 12, 2007, informing the House that the Senate has, on April 10, 2007, agreed to the amendments proposed by the House to the following Senate Bill, and that said bill has this day passed Final Reading.

S.B. No. 1063, SD 1, HD 1	"RELATING TO LEGISLATIVE VACANCIES."

Sen. Com. No. 743, dated April 12, 2007, informing the House that the Senate has, on April 10, 2007, reconsidered its action taken on April 3, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading.

S.B. No. 1370, SD 1, HD 1	"RELATING TO SPECIAL PURPOSE REVENUE BONDS."
S.B. No. 1509, SD 1, HD 1	"RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES."

Sen. Com. No. 744, dated April 12, 2007, informing the House that the Senate has, on April 10, 2007, reconsidered its action taken on April 4, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading.

S.B. No. 1287, SD 1, HD 1	"RELATING TO HIGHWAY SAFETY."
S.B. No. 1816, SD 1, HD 1	"RELATING TO HISTORIC PRESERVATION."

Sen. Com. No. 745, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 11, S.D. 3, H.D. 2
S.B. No. 12, S.D. 2, H.D. 2
S.B. No. 17, S.D. 2, H.D. 2
S.B. No. 96, S.D. 3, H.D. 2
S.B. No. 98, S.D. 1, H.D. 1
S.B. No. 138, S.D. 1, H.D. 1
S.B. No. 139, S.D. 1, H.D. 1
S.B. No. 148, S.D. 2, H.D. 1
S.B. No. 156, S.D. 2, H.D. 2
S.B. No. 162, S.D. 1, H.D. 2
S.B. No. 170, S.D. 1, H.D. 1
S.B. No. 188, S.D. 2, H.D. 1
S.B. No. 323, S.D. 2, H.D. 2
S.B. No. 600, H.D. 2
S.B. No. 603, S.D. 2, H.D. 2
S.B. No. 613, S.D. 2, H.D. 2
S.B. No. 620, S.D. 1, H.D. 1
S.B. No. 662, S.D. 2, H.D. 2
S.B. No. 667, S.D. 3, H.D. 2
S.B. No. 678, S.D. 1, H.D. 1
S.B. No. 679, S.D. 2, H.D. 2
S.B. No. 686, S.D. 1, H.D. 1
S.B. No. 688, S.D. 2, H.D. 1
S.B. No. 707, S.D. 2, H.D. 2
S.B. No. 709, S.D. 2, H.D. 1
S.B. No. 750, S.D. 3, H.D. 2
S.B. No. 795, S.D. 2, H.D. 1
S.B. No. 796, S.D. 2, H.D. 2
S.B. No. 798, S.D. 3, H.D. 2
S.B. No. 810, S.D. 2, H.D. 1
S.B. No. 837, S.D. 2, H.D. 2
S.B. No. 840, H.D. 1
S.B. No. 870, S.D. 1, H.D. 2
S.B. No. 871, S.D. 2, H.D. 2
S.B. No. 880, S.D. 2, H.D. 2
S.B. No. 885, S.D. 2, H.D. 3
S.B. No. 896, S.D. 1, H.D. 2
S.B. No. 898, S.D. 1, H.D. 2
S.B. No. 907, S.D. 2, H.D. 2
S.B. No. 914, S.D. 2, H.D. 1
S.B. No. 917, S.D. 1, H.D. 2
S.B. No. 932, S.D. 2, H.D. 2
S.B. No. 946, S.D. 2, H.D. 1
S.B. No. 973, S.D. 2, H.D. 2
S.B. No. 990, S.D. 2, H.D. 3
S.B. No. 992, S.D. 1, H.D. 2
S.B. No. 994, S.D. 1, H.D. 1
S.B. No. 1008, S.D. 1, H.D. 2
S.B. No. 1017, H.D. 1
S.B. No. 1026, S.D. 2, H.D. 3
S.B. No. 1034, S.D. 2, H.D. 1
S.B. No. 1060, S.D. 1, H.D. 2
S.B. No. 1066, S.D. 2, H.D. 2
S.B. No. 1068, S.D. 1, H.D. 1
S.B. No. 1093, S.D. 2, H.D. 1
S.B. No. 1113, S.D. 1, H.D. 2
S.B. No. 1115, S.D. 2, H.D. 1
S.B. No. 1133, S.D. 3, H.D. 1
S.B. No. 1154, S.D. 2, H.D. 2
S.B. No. 1170, S.D. 1, H.D. 1
S.B. No. 1174, S.D. 1, H.D. 1
S.B. No. 1177, S.D. 2, H.D. 1
S.B. No. 1182, S.D. 2, H.D. 1
S.B. No. 1184, S.D. 2, H.D. 3
S.B. No. 1191, S.D. 2, H.D. 2
S.B. No. 1221, S.D. 2, H.D. 2
S.B. No. 1222, S.D. 3, H.D. 2
S.B. No. 1228, S.D. 1, H.D. 1
S.B. No. 1229, S.D. 2, H.D. 1
S.B. No. 1282, S.D. 2, H.D. 1
S.B. No. 1284, S.D. 2, H.D. 2
S.B. No. 1315, S.D. 2, H.D. 1
S.B. No. 1352, S.D. 2, H.D. 2
S.B. No. 1365, S.D. 2, H.D. 3
S.B. No. 1372, S.D. 1, H.D. 1
S.B. No. 1382, S.D. 1, H.D. 1
S.B. No. 1383, S.D. 1, H.D. 1
S.B. No. 1384, S.D. 1, H.D. 1
S.B. No. 1386, S.D. 1, H.D. 1

S.B. No. 1387, S.D. 1, H.D. 1
S.B. No. 1388, S.D. 1, H.D. 1
S.B. No. 1391, S.D. 1, H.D. 1
S.B. No. 1400, S.D. 2, H.D. 3
S.B. No. 1402, S.D. 1, H.D. 1
S.B. No. 1410, S.D. 1, H.D. 1
S.B. No. 1412, S.D. 2, H.D. 2
S.B. No. 1425, S.D. 2, H.D. 1
S.B. No. 1447, S.D. 2, H.D. 2
S.B. No. 1457, S.D. 2, H.D. 2
S.B. No. 1499, S.D. 2, H.D. 1
S.B. No. 1500, S.D. 3, H.D. 1
S.B. No. 1504, S.D. 2, H.D. 1
S.B. No. 1515, S.D. 2, H.D. 2
S.B. No. 1603, S.D. 2, H.D. 2
S.B. No. 1612, S.D. 2, H.D. 2
S.B. No. 1614, S.D. 1, H.D. 1
S.B. No. 1636, S.D. 2, H.D. 3
S.B. No. 1672, S.D. 2, H.D. 3
S.B. No. 1674, S.D. 1, H.D. 2
S.B. No. 1676, S.D. 2, H.D. 1
S.B. No. 1704, S.D. 1, H.D. 1
S.B. No. 1718, H.D. 2
S.B. No. 1756, S.D. 1, H.D. 2
S.B. No. 1779, H.D. 3
S.B. No. 1803, S.D. 1, H.D. 1
S.B. No. 1804, S.D. 2, H.D. 2
S.B. No. 1820, S.D. 1, H.D. 2
S.B. No. 1823, S.D. 1, H.D. 2
S.B. No. 1833, S.D. 1, H.D. 1
S.B. No. 1839, S.D. 2, H.D. 1
S.B. No. 1853, S.D. 2, H.D. 2
S.B. No. 1882, S.D. 2, H.D. 1
S.B. No. 1916, S.D. 2, H.D. 3
S.B. No. 1917, S.D. 3, H.D. 2
S.B. No. 1918, S.D. 2, H.D. 2
S.B. No. 1919, S.D. 2, H.D. 2
S.B. No. 1920, S.D. 2, H.D. 2
S.B. No. 1922, S.D. 2, H.D. 1
S.B. No. 1923, S.D. 2, H.D. 2
S.B. No. 1924, S.D. 2, H.D. 2
S.B. No. 1928, S.D. 2, H.D. 3
S.B. No. 1929, S.D. 2, H.D. 2
S.B. No. 1931, S.D. 2, H.D. 3
S.B. No. 1932, S.D. 2, H.D. 1
S.B. No. 1943, S.D. 2, H.D. 2
S.B. No. 1946, S.D. 2, H.D. 2
S.B. No. 1947, S.D. 1, H.D. 1
S.B. No. 1950, S.D. 2, H.D. 2
S.B. No. 1988, S.D. 1, H.D. 2

Sen. Com. No. 746, dated April 12, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

92, HD 1, SD 1	Taniguchi, Chair; Fukunaga/Baker, Co-Chairs; Slom
692, HD 2, SD 1	Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom
831, HD 2, SD 1	Inouye, Chair; Tsutsui, Co-Chair; Hooser
1120, HD 2, SD 1	Ige, Chair; Chun Oakland/Baker, Co-Chairs; Fukunaga, Ihara, Whalen
1334, HD 1, SD 1	Taniguchi, Chair; Baker, Co-Chair; Slom
1353, HD 1, SD 1	Kokubun, Chair; Baker, Co-Chair; English, Tokuda, Slom
1361, HD 1, SD 1	Chun Oakland, Chair; Inouye/Tsutsui, Co-Chairs; Ihara, Hemmings
1364, HD 2, SD 1	Chun Oakland, Chair; Tsutsui, Co-Chair; Ihara, Hemmings
1368, SD 1	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
1411, HD 2, SD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
1902, SD 1	Taniguchi, Chair; Baker, Co-Chair; Slom

Sen. Com. No. 747, dated April 12, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the House to the following Senate Bills:

17, SD 2, HD 2	Nishihara, Chair; Hee, Co-Chair; Kim, Trimble
96, SD 3, HD 2	Sakamoto, Chair; Hee/Tsutsui, Co-Chairs; Tokuda, Gabbard
98, SD 1, HD 1	Sakamoto, Chair; Chun Oakland, Gabbard
138, SD 1, HD 1	Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom
148, SD 2, HD 1	Fukunaga, Chair; Baker, Co-Chair; Gabbard
156, SD 2, HD 2	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard
162, SD 1, HD 2	Kokubun, Chair; Baker, Co-Chair; English, Hee, Tokuda, Slom
188, SD 2, HD 1	Fukunaga, Chair; Taniguchi, Co-Chair; Slom
323, SD 2, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Gabbard
600, HD 2	Fukunaga, Chair; Taniguchi/Baker, Co-Chairs; Chun Oakland, Slom
603, SD 2, HD 2	Sakamoto, Chair; Baker, Co-Chair; Hooser, Tokuda, Gabbard
613, SD 2, HD 2	Sakamoto, Chair; Baker, Co-Chair; Chun Oakland, Tokuda, Gabbard
620, SD 1, HD 1	Sakamoto, Chair; Tsutsui, Co-Chair; Nishihara, Gabbard
662, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Tokuda, Slom
678, SD 1, HD 1	Nishihara, Chair; Espero/Tsutsui, Co-Chairs; Kim, Trimble
686, SD 1, HD 1	Sakamoto, Chair; Baker, Co-Chair; Hooser, Nishihara, Gabbard
688, SD 2, HD 1	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Gabbard
707, SD 2, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom
709, SD 2, HD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Espero, Slom

750, SD 3, HD 2	Nishihara, Chair; Fukunaga/Tsutsui, Co-Chairs; Kim, Trimble
795, SD 2, HD 1	Inouye, Chair; Nishihara/Tsutsui, Co-Chairs; Hemmings
796, SD 2, HD 2	Inouye, Chair; Tsutsui, Co-Chair; Hemmings
837, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Tokuda, Tsutsui, Slom
866, SD 1, HD 1	Nishihara, Chair; Kim, Trimble
880, SD 2, HD 2	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
885, SD 2, HD 3	Sakamoto, Chair; Kokubun/Baker, Co-Chairs; Tokuda, Gabbard
896, SD 1, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Gabbard
898, SD 1, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom
907, SD 2, HD 2	Fukunaga, Chair; Tsutsui, Co-Chair; Espero, Slom
914, SD 2, HD 1	Espero, Chair; Baker, Co-Chair; Chun Oakland, Nishihara, Whalen
917, SD 1, HD 2	Espero, Chair; Baker, Co-Chair; Fukunaga, Nishihara, Whalen
932, SD 2, HD 2	Espero, Chair; Baker, Co-Chair; Sakamoto, Tsutsui, Whalen
946, SD 2, HD 1	English, Chair; Hee, Co-Chair; Gabbard
1034, SD 2, HD 1	English, Chair; Fukunaga/Baker, Co-Chairs; Gabbard
1060, SD 1, HD 2	Hee, Chair; Kokubun, Nishihara
1068, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard
1093, SD 2, HD 1	Kokubun, Chair; Sakamoto/Baker, Co-Chairs; Hee, Tokuda, Slom
1113, SD 1, HD 2	Hee, Chair; Kokubun, Nishihara, Gabbard
1154, SD 2, HD 2	Sakamoto, Chair; Baker, Co-Chair; Taniguchi, Tsutsui, Gabbard
1170, SD 1, HD 1	Chun Oakland, Chair; Baker, Co-Chair; Sakamoto, Hemmings
1174, SD 1, HD 1	Espero, Chair; Tsutsui, Co-Chair; Sakamoto, Whalen
1177, SD 2, HD 1	Sakamoto, Chair; Baker, Co-Chair; Chun Oakland, Gabbard
1182, SD 2, HD 1	Chun Oakland, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Ihara, Sakamoto, Hemmings
1184, SD 2, HD 3	Chun Oakland, Chair; Hee/Baker, Co-Chairs; Ihara, Hemmings
1191, SD 2, HD 2	English, Chair; Baker, Co-Chair; Gabbard
1221, SD 2, HD 2	Kokubun, Chair; Fukunaga/Baker, Co-Chairs; Tokuda, Slom
1228, SD 1, HD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Espero, Trimble
1284, SD 2, HD 2	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard
1315, SD 2, HD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Ige, Slom
1365, SD 2, HD 3	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom
1372, SD 1, HD 1	Baker, Chair; Tsutsui, Whalen
1382, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard
1383, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Whalen
1384, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Whalen
1386, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Whalen
1387, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Whalen
1388, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Whalen
1391, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Whalen
1400, SD 2, HD 3	Chun Oakland, Chair; Taniguchi/Hee, Co-Chairs; Ihara, Hemmings
1447, SD 2, HD 2	Chun Oakland, Chair; Inouye/Baker, Co-Chairs; Hemmings
1499, SD 2, HD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
1500, SD 3, HD 1	Inouye, Chair; Fukunaga/Baker, Co-Chairs; Hemmings
1504, SD 2, HD 1	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom
1515, SD 2, HD 2	English, Chair; Baker, Co-Chair; Gabbard
1614, SD 1, HD 1	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Gabbard
1672, SD 2, HD 3	Chun Oakland, Chair; Baker, Co-Chair; Hemmings
1750, SD 1, HD 1	Ige, Chair; Fukunaga, Whalen
1756, SD 1, HD 2	Kokubun, Chair; Baker, Co-Chair; English, Hee, Tokuda, Slom
1779, HD 3	Chun Oakland, Chair; Baker, Co-Chair; Fukunaga, Hemmings
1820, SD 1, HD 2	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Tsutsui, Gabbard
1823, SD 1, HD 2	Nishihara, Chair; Kim, Tsutsui
1833, SD 1, HD 1	Hee, Chair; Baker, Co-Chair; Kokubun, Trimble
1839, SD 2, HD 1	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom

1853, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; English, Hee, Slom
1882, SD 2, HD 1	Fukunaga, Chair; Baker, Co-Chair; Tsutsui, Trimble
1916, SD 2, HD 3	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
1917, SD 3, HD 2	Chun Oakland, Chair; Taniguchi/Fukunaga/Baker, Co-Chairs; Menor, Tsutsui, Hemmings
1918, SD 2, HD 2	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Hemmings
1919, SD 2, HD 2	Chun Oakland, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Hemmings
1920, SD 2, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom
1922, SD 2, HD 1	Fukunaga, Chair; Sakamoto/Baker, Co-Chairs; Ige, Slom
1923, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Tokuda, Gabbard
1924, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Tokuda, Gabbard
1928, SD 2, HD 3	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Whalen
1929, SD 2, HD 2	Nishihara, Chair; Tsutsui, Co-Chair; Kim, Trimble
1931, SD 2, HD 3	Sakamoto, Chair; Baker, Co-Chair; Fukunaga, Nishihara, Gabbard
1932, SD 2, HD 1	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Tsutsui, Gabbard
1946, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Hee, Hooser, Tokuda, Slom
1950, SD 2, HD 2	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Whalen

Sen. Com. No. 748, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 1004, S.D. 2, H.D. 2
S.B. No. 1283, S.D. 2, H.D. 2
S.B. No. 1665, H.D. 1
S.B. No. 1792, S.D. 3, H.D. 3

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 57) was received by the Clerk and was placed on file:

Dept. Com. No. 57, dated April 13, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Cost Analysis of Disability Parking Placards.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Takai introduced his friend, Army LTC (ret.) Jim Meadows from Washington, D.C.

Representative Ward rose, stating:

"Mr. Speaker, I have an unusual introduction. I have an introduction of the invisible hand of the unseen that was present at the signing of our Declaration of Independence, who inspired our forefathers to say that we are endowed by our creator with certain inalienable rights that among those are life, liberty, and the pursuit of happiness. That same spirit that was upon them is still in this Chamber. Thank you, Mr. Speaker."

The Chair then stated:

"So you're introducing a spirit for us?"

Representative Ward rose to respond, stating:

"Mr. Speaker, I know we have freedom of religion in this aisle, but I think in the opening remarks, there was a statement that was very incorrect. That there was no connection between our history and our beliefs. And for those who did come for religious freedom had a very strong belief which they felt so strongly about that they said we are endowed by our creator. And having lived in the third world for so many years, it's those bodies like this that give the people …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. Is this an introduction or is this a speech?"

Representative Ward: "I'm answering the question of the Speaker."

Speaker Say: "I got the message."

Representative Ward: "You got the message? And I think we've all got the message. There's something more powerful than just these bodies that give people rights."

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
42, SD1	Committee on Education, then to the Committee on Finance
64, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
113	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance
194, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education
202	Committee on Health
216	Jointly to the Committee on International Affairs and the Committee on Health

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
223	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health

H.C.R. No.	Re-referred to:
283	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, at this time, please note that H.R. No. 198 and H.C.R. No. 247 were re-referred solely to the joint Committees on Consumer Protection and Commerce and Legislative Management per Committee Referral Sheet No. 51 that was placed on your desk yesterday evening. The Committee on Judiciary waived its referral to these measures and therefore it is appropriate for the House to consider action for adoption on these two measures."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 198 and H.C.R. No. 247, seconded by Representative B. Oshiro and carried. (Representatives Nishimoto, Takamine and Waters were excused.).

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. Nos. 1694 and 1695 in referring H.R. No. 198 and H.C.R. No. 247 to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Nishimoto, Takamine and Waters were excused.).

ADOPTIONS

Representative Caldwell then moved that H.R. No. 198 and H.C.R. No. 247 be adopted, seconded by Representative B. Oshiro.

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. We heard these measures in the Legislative Management Committee, and for those of you who are following this issue it relates to a case that happened on Kauai with a victim that was murdered. And what these measures are asking for is the Attorney General's office to work with the notary public group to resolve the issue of identity theft and to clarify it so that an issue like this will never happen again, Mr. Speaker. Thank you very much."

Representative McKelvey rose to speak in support of the measure, stating:

"In support. May I have the words of the previous speaker entered into the Journal as if they were my own? And just some brief comments if I may. You know, most of the time resolutions really as a practical matter don't have any effect of law. But this is one of those few resolutions that actually will do a lot of good.

"Sitting in the Committee hearing listening to the story of murder and betrayal and theft was just mind-boggling. And to think that this Body could do something, even through a resolution to try and stop this from happening to another family is really important. So I just hope this Body can support these measures and adopt these Resolutions. Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 198, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE IDENTITY THEFT TASK FORCE TO IDENTIFY WAYS IN WHICH THE PROCESS OF NOTARIZING DOCUMENTS CAN BE IMPROVED TO REDUCE IDENTITY THEFT," and H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL AND THE IDENTITY THEFT TASK FORCE TO IDENTIFY WAYS IN WHICH THE PROCESS OF NOTARIZING DOCUMENTS CAN BE IMPROVED TO REDUCE IDENTITY THEFT," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

STANDING COMMITTEE REPORTS

Representatives Yamashita and Herkes, for the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2033) recommending that H.C.R. No. 276, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that H.C.R. No. 276, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in support of HCR 276, which opposes any attempt by the California Legislature to impose a fee on the processing of shipping containers in California. These fees would harm Hawaii's businesses and consumers, since a high volume of our shipping currently goes through California. This fee would also cause some shipping to be diverted from California to other West Coast ports, so it arguably isn't in the interests of California businesses and residents either. Finally, this fee would be unreasonable, since it would be imposed on empty containers, which would particularly harm Hawaii since we import far more goods than we export, causing many shipping containers to be returned to the West Coast empty."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE ENACTMENT BY THE CALIFORNIA STATE LEGISLATURE OF A BILL PROPOSING TO IMPOSE A FEE ON THE PROCESSING OF SHIPPING CONTAINERS IN THE STATE OF CALIFORNIA BECAUSE OF THE NEGATIVE IMPACT OF THE FEE ON THE PEOPLE AND THE ECONOMY OF THE STATE OF HAWAII," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 2034) recommending that H.R. No. 57, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 57, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO APPROVE

AND AUTHORIZE THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 2035) recommending that H.C.R. No. 81, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 81, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO APPROVE AND AUTHORIZE THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 2036) recommending that H.R. No. 231, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 2037) recommending that H.C.R. No. 290, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 231, HD 1, and H.C.R. No. 290, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Evans rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 231, HD 1, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was adopted, with Representative Evans voting no, and with Representatives Nishimoto, Takamine and Waters being excused; and

H.C.R. No. 290, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was adopted, with Representative Evans voting no, and with Representatives Nishimoto, Takamine and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2038) recommending that H.C.R. No. 199, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 199, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE ON EXISTING MARINE PROTECTED AREAS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2039) recommending that H.C.R. No. 230, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 230, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I am in support of HCR 230. I support this Resolution because I have had calls from fishermen on Kauai that commercial fishermen have been harvesting upwards of 2,000 pounds of parrot fish a night. It doesn't take much to extrapolate that continuous harvesting of the parrot fish at this quantity will all but eliminate the supply.

"At this point in time, the only regulation on harvesting the parrot fish is the prohibition of taking fish less than 12 inches in length. Therefore, I support this Resolution to request the DLNR to conduct an analysis of the fishing of parrot fish, to consider imposing an annual periodic closure prohibiting the night-time commercial harvesting of parrot fish during the months of February through October, or imposing a bag limit on the night-time commercial harvest of parrot fish. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 230, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER IMPOSING AN ANNUAL PERIODIC CLOSURE PROHIBITING OR RESTRICTING BY BAG LIMIT THE NIGHT TIME COMMERCIAL HARVEST OF PARROT FISH," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2040) recommending that H.R. No. 130, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that H.R. No. 130, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like to ask for a ruling on a potential conflict of interest on 2040. At the law firm I work at, I'm representing the citizen plaintiffs that have sued the city over their wastewater treatment and sewage violations," and the Chair ruled "no conflict."

Representative B. Oshiro continued, stating:

"If that's the case, thank you very much. I'd like a no vote please."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.R. No. 130, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND STATE OF HAWAII DEPARTMENT OF HEALTH TO PURSUE A GLOBAL SETTLEMENT OF OUTSTANDING WASTEWATER ISSUES WITH THE CITY AND COUNTY OF HONOLULU," was adopted, with Representatives B. Oshiro and Thielen voting no, and with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2041) recommending that H.R. No. 129, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 129, entitled: "HOUSE RESOLUTION REQUESTING CERTAIN ACTION CONCERNING THE CONDUCTING OF A TEST TO CONVERT H-POWER ASH TO REUSABLE MATERIAL," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2042) recommending that H.C.R. No. 162, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CERTAIN ACTION CONCERNING THE CONDUCTING OF A TEST TO CONVERT H-POWER ASH TO REUSABLE MATERIAL," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2043) recommending that H.C.R. No. 203, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 203, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"I rise in support of this and I'd like to offer my apologies for giving a speech today, but I said very little yesterday so I feel like I'm entitled to a speech today.

"So I'd just like to read the words of Carla Nip-Sakamoto, who's a dermatologist related to sun protection. Because I think it's very, very important for all of us. And she says:

> Hawaii is uniquely positioned to take the lead in sun safety awareness and education for our country. With our geographic location near the equator and our year round tropical climate, residents of Hawaii enjoy a lifestyle that embraces the outdoors. As a dermatologist, I am faced with the daily task of identifying individuals at risk for skin cancer, particularly, the deadliest of them, malignant melanoma. Many of our skin cancer patients were children and young adults in a time when the role of ultraviolet radiation was not fully understood nor appreciated. The body of evidence defining the role of sunlight in skin cancer development is now well established and we all know that all ethnic groups are at risk.
>
> Few schools provide adequate sun protection for our most vulnerable population. Few schools have a sun protection policy. I've been involved in the sun safety education program at Iolani since its inception in 2000. Kindergarteners and fourth graders receive as a part of their science curriculum, specific content on the effects of sunlight, the ozone layer and its depletion, identification of risk factors for sunburn and sun damage, sunscreen selection and appropriate use, sun protective clothing choices and sun smart behaviors. The children are encouraged to be safe in the sun, not afraid of the sun. The content is simple, yet powerful.
>
> There is really no cost. Just some dedicated time. A collaborative, community-based effort involving parents, educators, health professionals and legislative government bodies can serve to assist in the development of a statewide program to teach children about preventative practices and lifelong sun safe habits. Enhancing knowledge and an understanding of sun protective behaviors will serve to promote positive attitudes and practices in the area of preventive healthcare. Studies have demonstrated that early intervention provides a greater likelihood of influencing positive behaviors. Protecting our *keiki* from overexposure to the sun is a healthy investment in Hawaii's future.

"So I urge the members to support this Resolution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HEALTH TO DEVELOP A SKIN CANCER EDUCATION AND PREVENTION PROGRAM AND COLLECT DATA ON THE INCIDENCE OF ALL FORMS OF SKIN CANCER AMONG RESIDENTS AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A CANCER AWARENESS PROGRAM IN ALL PUBLIC SCHOOLS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2044) recommending that H.C.R. No. 132, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 132, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose, stating:

"Thank you, Mr. Speaker. I think this is a kind of neat resolution, considering a Capitol Gift Shop in the State Capitol. We're all here and most importantly the public is here and they spend a lot of hours here. I just wanted to bring up that perhaps another suggestion would be that, we're world renown for our Hawaii regional cuisine, of which Leeward Community College, Kapiolani Community College is known for some of the best, most healthy food and it'd be nice to add that somehow to what is offered here at the Capitol."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 132, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONDUCT A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A CAPITOL GIFT SHOP IN THE STATE CAPITOL BUILDING," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2045) recommending that H.C.R. No. 154, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 154, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I am in strong support of HCR 154. The Hanapepe Salt Ponds are listed on the State Historic Preservation Register and the area is an extremely important cultural resource to the community. I have friends who have been making and harvesting salt for the past 50 years. Salt makers are concerned about the commercial use of the surrounding areas and the potential for pollution to occur in the salt wells.

"To address this problem, I would like all State, county and community agencies to meet and develop a Hanapepe Salt Pond resource management plan, which this HCR will do. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 154, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF LAND MANAGEMENT TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2046) recommending that H.C.R. No. 205, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 205, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT TO THE LEGISLATURE ON THE COST OF ESTABLISHING A SUN PROTECTION PROGRAM FOR STUDENTS IN PUBLIC SCHOOLS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2047) recommending that H.C.R. No. 240, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 240, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO RECOMMEND A PROCESS TO CREATE A CITIZEN ROAD WATCH PROGRAM," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2048) recommending that H.C.R. No. 242, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 242, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A KAPAA QUARRY ROAD SAFETY TASK FORCE TO CONDUCT A STUDY TO DEVELOP AND RECOMMEND TRAFFIC SAFETY MEASURES FOR KAPAA QUARRY ROAD IN ORDER TO ALLEVIATE DANGEROUS ROAD CONDITIONS AND REDUCE HAZARDOUS DRIVING PRACTICES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2049) recommending that H.R. No. 156, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 156, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SUPPORT THE ONGOING RESEARCH AND DEVELOPMENT OF WAVE ENERGY DEVICES IN HAWAII AND THE CREATION OF A WAVE ENERGY FACILITY," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented two reports:

(Stand. Com. Rep. No. 2050) recommending that H.R. No. 204, be adopted; and

(Stand. Com. Rep. No. 2051) recommending that H.C.R. No. 254, be adopted.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 204 and H.C.R. No. 254, be adopted, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in support of both measures, stating:

"I rise in strong, undying and continual support for both of these measures and encourage people to take a good, hard look at them."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE GREENBELTS STRATEGY TO PROMOTE IDENTIFICATION OR DEVELOPMENT OF TRANSPORTATION MANAGEMENT SYSTEMS THAT ARE BASED ON THE REDUCTION OF AUTOMOBILE USE OR ALTERNATIVES TO THE AUTOMOBILE," was adopted, with Representatives Nishimoto, Takamine and Waters being excused; and

H.C.R. No. 254, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A STATEWIDE GREENBELTS STRATEGY TO PROMOTE IDENTIFICATION OR DEVELOPMENT OF TRANSPORTATION MANAGEMENT SYSTEMS THAT ARE BASED ON THE REDUCTION OF AUTOMOBILE USE OR ALTERNATIVES TO THE AUTOMOBILE," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2052) recommending that H.C.R. No. 183, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 183, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE IMPLEMENTATION OF THE CASH AND COUNSELING PROGRAM IN OTHER STATES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2053) recommending that H.C.R. No. 194, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 194, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like a ruling on a potential conflict of interest. At the law firm I work at, I'm representing the citizens that sued Turtle Bay over their expansion," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 194, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND

THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2054) recommending that H.C.R. No. 259, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 259, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSIST IN THE PERPETUATION OF AGRICULTURAL ACTIVITIES ON THE EWA PLAINS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2055) recommending that H.R. No. 158, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 158, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2056) recommending that H.C.R. No. 200, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 200, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMMEDIATELY CONVENE AN AIRCRAFT NOISE ABATEMENT ADVISORY COMMITTEE TO WORK WITH THE FEDERAL AVIATION ADMINISTRATION TO ESTABLISH EFFECTIVE NOISE ABATEMENT PROCEDURES AND TO ADOPT RULES AND REGULATIONS IN ORDER TO MITIGATE AIRCRAFT NOISE IMPACTS ON NOISE SENSITIVE AREAS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2057) recommending that H.R. No. 159, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 159, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO WORK WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2058) recommending that H.C.R. No. 201, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 201, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO WORK WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH NOISE SENSITIVE OPERATING PROCEDURES AND AIR TRAFFIC PATTERNS TO REDUCE AND CONTROL AIRCRAFT NOISE IMPACTS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2059) recommending that H.C.R. No. 43, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S SPECIAL EDUCATION PROGRAM," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2060) recommending that H.C.R. No. 103, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE MAYOR WRIGHT HOMES TENANT ASSOCIATION," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2061) recommending that H.C.R. No. 187, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 187, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE SERVICES IN HAWAII," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2062) recommending that H.C.R. No. 195, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 195, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A JOINT HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE

DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2063) recommending that H.C.R. No. 260, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 260, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 260, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2064) recommending that H.C.R. No. 264, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 264, be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"On 2064, another potential conflict of interest. I represent 'Olelo Community Television at my law firm but I don't do anything on procurement," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECT OF THE PUBLIC PROCUREMENT PROCESS ON PUBLIC EDUCATION AND GOVERNMENT ACCESS TELEVISION STATIONS," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2065) recommending that H.C.R. No. 284, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 284, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR THE USE OF AN ADVANCED VITAL SIGN MONITORING DEVICE," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2066) recommending that H.C.R. No. 188, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 188, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2067) recommending that H.C.R. No. 326, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 326, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"This is my last one. I would like a ruling on a potential conflict of interest. At my law firm I represent HHSC on procurement matters," and the Chair ruled "no conflict."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Green rose to disclose a potential conflict of interest, stating:

"Just briefly, I wanted to report a potential conflict. I'm a contract worker as a HHSC emergency room doctor," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 326, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A JOINT TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS CONCERNING THE STRUCTURE AND OPERATIONS OF THE HAWAII HEALTH SYSTEMS CORPORATION," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 2068) recommending that H.R. No. 171, be adopted; and

(Stand. Com. Rep. No. 2069) recommending that H.C.R. No. 213, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 171 and H.C.R. No. 213, be adopted, seconded by Representative B. Oshiro.

Representative Takai rose to disclose a potential conflict of interest, stating:

"Ruling on a potential conflict of interest. For these two measures, I'm a member of the Hawaii Army National Guard. In 2005 I served on active duty and I stood up the medical readiness processing unit. This unit and other medical facilities across the nation are under scrutiny by the public, as well as these two Resolutions," and the Chair ruled "no conflict."

Representative Takai continued, stating:

"Thank you, Mr. Speaker. I rise in support of these two measures and since I spoke a lot last night, I'd like your permission to insert written comments," and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"I want to take advantage of this opportunity to discuss these critical measures as they relates to our State and the Hawaii National Guard.

"For the last few years, thousands of members of the National Guard and Reserves across the nation have been mobilized onto federal active duty for service in and deployed to Iraq, Afghanistan. Many reserve component military service members have sustained injuries or illnesses in the line of duty that have caused them to be placed in military retention processing units (MRPUs) on "medical hold" status in various military facilities around the county.

"At this time, it is a fairly common practice to give these individuals one year after their return from deployment in which to heal, at which point they are reevaluated and frequently either given a medical discharge or released from active duty to their National Guard or Reserve units. While the one year time limit may serve as a simple and clear standard for purposes of the United States Department of Defense military policy, the reality for many of these individuals is that one year is simply an inadequate amount of time to heal from serious physical or mental illnesses or injuries sustained in the line of duty.

"There are currently several injured reserve component military service members in Hawaii, and they are very concerned that their discharge from the military or being released from active duty to their reserve component units will terminate their eligibility for medical care at the United States Department of Defense medical facilities at which they have been treated. With the termination of this eligibility, these reserve component military service members will have to rely upon either their private or employer sponsored health insurance, or facilities operated by the Veterans' Administration of the United States Department of Veterans' Affairs.

"Unfortunately, the extensive media coverage of overcrowded and understaffed Veterans' Administration facilities and programs in recent years leaves many injured reserve component military service members very concerned about the care they will receive. Many ill and injured reserve component military service members would, if given a choice, prefer to continue to receive treatment at the United States Department of Defense medical facilities after they have been discharged or released from active duty to their reserve component units.

"With our support, we will be able to give them the medical coverage that they so rightly deserve. Let us honor our citizen-soldiers for the many sacrifices they have made to protect our country, our State, and our families."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 171, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF DEFENSE TO ALLOW MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO ARE STILL RECOVERING FROM ILLNESSES OR INJURIES INCURRED IN THE LINE OF DUTY WHILE MOBILIZED FOR DEPLOYMENT TO IRAQ OR AFGHANISTAN, AND WHO HAVE EITHER BEEN DISCHARGED FOR MEDICAL REASONS OR RELEASED FROM ACTIVE DUTY TO THEIR RESERVE COMPONENT UNITS, TO CONTINUE TO HAVE ACCESS TO DEPARTMENT OF DEFENSE MEDICAL FACILITIES ON THE SAME BASIS AS ACTIVE DUTY SERVICE MEMBERS, OR TO RECEIVE TRICARE COVERAGE ON THE SAME BASIS AS RETIREES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused; and

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF DEFENSE TO ALLOW MEMBERS OF THE NATIONAL GUARD AND RESERVES WHO ARE STILL RECOVERING FROM ILLNESSES OR INJURIES INCURRED IN THE LINE OF DUTY WHILE MOBILIZED FOR DEPLOYMENT TO IRAQ OR AFGHANISTAN, AND WHO HAVE EITHER BEEN DISCHARGED FOR MEDICAL REASONS OR RELEASED FROM ACTIVE DUTY TO THEIR RESERVE COMPONENT UNITS, TO CONTINUE TO HAVE ACCESS TO DEPARTMENT OF DEFENSE MEDICAL FACILITIES ON THE SAME BASIS AS ACTIVE DUTY SERVICE MEMBERS, OR TO RECEIVE TRICARE COVERAGE ON THE SAME BASIS AS RETIREES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 2070) recommending that H.C.R. No. 312, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 312, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REPORT TO THE LEGISLATURE ON THE FINANCIAL REQUIREMENTS OF TRANSPORTING, HOUSING, AND ANY OTHER COSTS ASSOCIATED WITH THE OPERATIONS AND ADMINISTRATION OF SENDING HAWAII INMATES TO OUT-OF-STATE CORRECTIONAL FACILITIES," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Evans and Green, for the Committee on Public Safety & Military Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 2071) recommending that H.R. No. 223, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 223, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE, IN COOPERATION WITH THE DEPARTMENT OF HEALTH, TO BEGIN NECESSARY PREPARATIONS TO ESTABLISH A MOBILE EMERGENCY HOSPITAL UNIT IN HAWAII," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representatives Evans and Green, for the Committee on Public Safety & Military Affairs and the Committee on Health presented a report (Stand. Com. Rep. No. 2072) recommending that H.C.R. No. 283, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 283, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE, IN COOPERATION WITH THE DEPARTMENT OF HEALTH, TO BEGIN NECESSARY PREPARATIONS TO ESTABLISH A MOBILE EMERGENCY HOSPITAL UNIT IN HAWAII," was adopted, with Representatives Nishimoto, Takamine and Waters being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 2073), recommending that S.C.R. No. 38, as amended in HD 1, be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 38, HD 1, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING ENACTMENT OF THE FILIPINO VETERANS FAMILY REUNIFICATION ACT OR SIMILAR LEGISLATION THAT GRANTS THE PRIORITY ISSUANCE OF VISAS TO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," was referred to the Committee on Public Safety & Military Affairs with Representatives Nishimoto, Takamine and Waters being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 2074), recommending that S.C.R. No. 41, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 41, HD 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY OPPOSING THE FEE INCREASES PROPOSED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES," was referred to the Committee on Finance with Representatives Nishimoto, Takamine and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2075), recommending that S.C.R. No. 10, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO IMPLEMENT A PILOT FAMILY COURT PARENTING PLAN MODEL PROGRAM IN THE FIRST CIRCUIT FAMILY COURT," was referred to the Committee on Judiciary with Representatives Nishimoto, Takamine and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2076), recommending that S.C.R. No. 69, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED BUILDINGS AT KALIHI VALLEY HOMES SCHEDULED FOR DEMOLITION," was referred to the Committee on Finance with Representatives Nishimoto, Takamine and Waters being excused.

At 12:41 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:41 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Nishimoto, Takamine and Waters were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Nishimoto, Takamine and Waters were excused.)

H.B. No. 389, HD 1, SD 1
H.B. No. 854, HD 1, SD 1
H.B. No. 861, HD 1, SD 1
H.B. No. 910, HD 1, SD 1
H.B. No. 1018, HD 2, SD 2
H.B. No. 1103, SD 1
H.B. No. 1248, HD 1, SD 1
H.B. No. 1328, HD 2, SD 2
H.B. No. 1336, SD 1
H.B. No. 1513, HD 1, SD 1
H.B. No. 1750, HD 2, SD 1

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representatives Nishimoto, Takamine and Waters were excused.)

FINAL READING

H.B. No. 10, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 10, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Final Reading by a vote of 48 ayes with Representatives Nishimoto, Takamine and Waters being excused.

At 12:45 o'clock p.m., the Chair noted that H.B. No. 10, SD 1, passed Final Reading.

ANNOUNCEMENTS

Representative Takai: "Mr. Speaker, on behalf of your Chair of the Public Safety Committee, Representative Evans, I'd like to make mention of our Joint Session next week Monday for the awarding of the Hawaii Medal of Honor. It will be at 10:00 o' clock in the Senate Chamber. So as you note on page 11 of the Order of the Day, under Announcements, the House session will convene on Monday at 9:30 a.m. We will then move over to the Senate Chamber at 10:00 am.

"Those of you who were here last year understand how emotional and significant this particular program is. Those of you who weren't here last year, I encourage you to join us and participate in this Joint Session. I'd like to defer to the Chair to talk a little bit about the luncheon following the program. Thank you, Mr. Speaker."

Representative Evans: "Thank you, Mr. Speaker. Following the Medal of Honor Ceremony in the Senate Chamber, we're inviting all the families, all of the military people and the Senate and the House Members to the courtyard at our State library. This is not done very often. The State Librarian has been very gracious. Her name is Florence Yee. She heads that library and will host us in the courtyard.

"So following the Ceremony, we will invite you over. There will be guardsmen and staff that will be outside that will be leading people to the State library so I invite you to come and meet and greet those families who have come from the mainland, and those who have come from the different islands. You know, these are our people that have lost their lives in Iraq and Afghanistan from March through February of this last annual year, and so we invite you to come and spend just a little time with them following. Thank you very much."

Speaker Say: "For the edification of the Members of the House this afternoon, we will convene at 9:30 on Monday. We will recess after our roll call, and will come back in the afternoon at 2:30 to finish our business. All of you have been notified of the reconsideration to agree. These measures are going to be on the Order of the Day for Monday afternoon at 2:30. So your presence is warranted on the Floor on Monday."

ADJOURNMENT

At 12:48 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 9:30 o'clock a.m., Monday, April 16, 2007. (Representatives Nishimoto, Takamine and Waters were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 13, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House Bills:

H.B. No. 389, HD 1, SD 1
H.B. No. 854, HD 1, SD 1
H.B. No. 861, HD 1, SD 1
H.B. No. 910, HD 1, SD 1
H.B. No. 1018, HD 2, SD 2
H.B. No. 1103, SD 1
H.B. No. 1248, HD 1, SD 1
H.B. No. 1328, HD 2, SD 2
H.B. No. 1336, SD 1
H.B. No. 1513, HD 1, SD 1
H.B. No. 1750, HD 2, SD 1

House Communication dated April 13, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the Senate amendments and has passed H.B. No. 10, SD 1 on Final Reading.

House Communication dated April 13, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

500, HD 1, SD 1	M. Oshiro, Chr.; Belatti, Brower, Carroll, Chong, Hanohano, Har, Lee, Magaoay, Manahan, Mizuno, Nakasone, Rhoads, Sagum, Tokioka, Awana, Meyer, Ward

House Communication dated April 13, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

149, SD 1, HD 1	M. Oshiro, Chr.; Nakasone, Meyer

FORTY-NINTH DAY

Monday, April 16, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:36 o'clock a.m., with the Speaker presiding.

The invocation was delivered in song by Miss Marie Sonson, second-grade student at Hanalani School and daughter of Representative Alex M. Sonson, after which the Roll was called showing all members present with the exception of Representatives Bertram, Hanohano, Herkes, Karamatsu, Luke, McKelvey, Meyer, Morita, M. Oshiro, Pine and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 325) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 325, informing the House that on April 13, 2007, the following bill was signed into law:

H.B. No. 1756, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONCESSIONS." (ACT 015)

The following message from the Governor (Gov. Msg. No. 326) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 326, transmitting H.B. No. 853, HD 2, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 13, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 853

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 853, entitled "A Bill for an Act Relating to Public Work Projects."

This bill is objectionable because it would require the State to cite a contractor for each individual construction project for which work is performed, no matter how minor the infraction and whether the violation was committed knowingly or not. If violations were discovered in one investigation involving multiple construction projects, the contractor would receive multiple citations.

Upon the receipt of a third violation, a contractor would be precluded from performing any new public work construction for a three-year period. Considering the complexity of the law and the difficulties it poses for a contractor to successfully navigate, this result is too harsh. This rigid violation structure fails to take into account the severity of the violations found and the willfulness of the contractor in committing the violation.

The mandatory, progressive penalty structure in current law allows firms to correct errors as soon as they are identified and ensures that the Department of Labor and Industrial Relations is able to work with affected contractors to provide fair wages pursuant to the wage schedules, benefit formula, and applicable overtime rules in place.

The changing of the manner of issuing violations from one based on investigations to one based on projects will likely result in potential litigation. Further, the number of firms bidding on and accepting State and county projects is likely to diminish if the rigid penalty structure imposed by this bill is enacted.

Diminishing the number of firms that can bid on State and county projects, and passing measures that further discourage qualified firms from bidding, will inevitably result in higher costs for public works projects. This will adversely impact the State's ability to fund and execute construction and repair of schools, highways, parks, harbors, and the entire spectrum of public facilities operated by the State of Hawaii. It will also negatively impact the ability of the counties to repair and rebuild our sewer systems, upgrade wastewater treatment plants, and expand police and fire facilities and similar local government structures.

The prevailing wage should be paid when applicable and no contractor should be allowed to ignore the law. However, this bill is unreasonable in imposing a rigid approach that fails to take into account the severity of violations found and the willfulness of the contractor in committing the violation.

For the foregoing reasons, I am returning House Bill No. 853 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

The following messages from the Governor (Gov. Msg. Nos. 327 and 328) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 327, transmitting S.B. No. 776, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 13. 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 776

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 776, entitled "A Bill for an Act Relating to Fire Protection."

The purpose of this bill is to clarify that the State, and not the individual county fire departments, is responsible for the fire inspection of State-owned airport facilities required by law.

A substantially identical bill, House Bill No. 1138, was also passed by the Legislature. Because I approved House Bill No. 1138, as Act 10 of 2007, which accomplished the same purpose as this bill, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 776 without my approval.

Respectfully,
/s/

LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 328, transmitting S.B. No. 1513, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 13, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1513

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1513, entitled "A Bill for an Act Relating to Motor Vehicles."

The purpose of this bill is to conform State motor vehicle equipment specifications to the federal and automobile manufacturers' specifications by: (1) changing the minimum headlamp height requirement from twenty-four inches to twenty-two inches above the road surface and (2) deleting the requirement that a license plate be attached no lower than twelve inches above the ground.

An identical bill, House Bill No. 1427, was also passed by the Legislature. Because I approved House Bill No. 1427, as Act 7 on April 9, 2007, which accomplished the purpose of this bill, there is no necessity to also approve this measure.

For the foregoing reason, I am returning Senate Bill No. 1513 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 749 through 824) were received and announced by the Clerk:

Sen. Com. No. 749, dated April 13, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bill:

500, HD1, SD1	Baker, Chair; Chun Oakland, English, Fukunaga, Hooser, Kim, Menor, Tokuda, Tsutsui, Hemmings, Whalen

Sen. Com. No. 750, dated April 13, 2007, informing the House that the Senate has, on April 12, 2007, agreed to the amendments proposed by the House to the following Senate Bills, and that said bills have this day passed Final Reading.

S.B. No. 1441, SD 1, HD 1	"RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES."
S.B. No. 1642, SD 1, HD 1	"RELATING TO LABOR."

Sen. Com. No. 751, transmitting H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING PEACE EDUCATION INTO THE SCHOOL CURRICULUM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 752, transmitting S.C.R. No. 7, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO STUDY THE FEASIBILITY OF CONDUCTING ALL ELECTIONS BY MAIL," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 753, transmitting S.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO ASSESS THE FAMILY COURT'S HANDLING OF DOMESTIC VIOLENCE MATTERS IN THE FIRST CIRCUIT FAMILY COURT," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 754, transmitting S.C.R. No. 11, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY CUSTODY EVALUATOR TRAINING MODELS APPLIED BY OTHER JURISDICTIONS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 755, transmitting S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY JOINT OR SHARED PHYSICAL AND LEGAL CUSTODY PRESUMPTIONS IN FAMILY LAW AS ENACTED AND APPLIED BY OTHER JURISDICTIONS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 756, transmitting S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 757, transmitting S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT POLICIES TO PREVENT THE TRANSFER OF INCARCERATED PARENTS OF MINOR CHILDREN TO CORRECTIONAL FACILITIES ON THE MAINLAND," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 758, transmitting S.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF SUBMERGED LANDS AT LAHAINA, MAUI, FOR DIVE SITE FOR COMMERCIAL SUBMARINE TOURS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 759, transmitting S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE SURFACE EASEMENT AT KAHALUU, NORTH KONA, HAWAII," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 760, transmitting S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY THE IMPACT OF CIGARETTE FIRE SAFETY STANDARDS ESTABLISHED IN OTHER STATES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 761, transmitting S.C.R. No. 33, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE

UNITED STATES CONGRESS TO RE-EVALUATE THE MEDICARE FORMULA FOR COMPUTING PAYMENTS TO DOCTORS OR TAKE OTHER MEASURES TO AVERT FUTURE REDUCTIONS IN PAYMENTS FOR SERVICES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 762, transmitting S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN DONATION IN THE STATE OF HAWAII," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 763, transmitting S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO STUDY WORKPLACE FLEXIBILITY," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 764, transmitting S.C.R. No. 46, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION DIVISION TO RESEARCH AND REPORT TO THE LEGISLATURE ON HOW BEST TO PROTECT HAWAII'S HISTORIC BUILDINGS FROM DEMOLITION," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 765, transmitting S.C.R. No. 48, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII DISABILITY RIGHTS CENTER TO PROVIDE AN ANALYSIS OF THE LAWS GOVERNING ITS ACCESS TO PATIENT RECORDS AND ITS POLICIES AND PROCEDURES FOR CONDUCTING INVESTIGATIONS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 766, transmitting S.C.R. No. 52, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DIRECTING THE STRENGTHENING AND EXPANSION OF ADULT EDUCATION PROGRAMS FOR INCARCERATED PERSONS TO ASSIST WITH THEIR TRANSITION BACK INTO THE COMMUNITY UPON RELEASE," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 767, transmitting S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW THE USE OF THE PREDICTIVE ASSESSMENT OF READING PROGRAM TO TEACH READING TO STUDENTS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 768, transmitting S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AMENDMENTS TO THE NO CHILD LEFT BEHIND ACT OF 2001," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 769, transmitting S.C.R. No. 61, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONSIDERING THE EXPANSION OF CURRENTLY EXISTING OR THE ESTABLISHMENT OF NEW FORENSIC FACILITIES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 770, transmitting S.C.R. No. 68, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON PUBLIC CONTRACTS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 771, transmitting S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A LEGISLATIVE INTERIM TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR THE CREATION OF UNIVERSAL CHILDREN'S SAVINGS ACCOUNTS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 772, transmitting S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL, PROGRAM, AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 773, transmitting S.C.R. No. 75, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF DESTINATION CLUBS AND THOSE WHO MARKET THEM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 774, transmitting S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO DETERMINE THE NUMBER OF FREELY ASSOCIATED STATES NATIONALS CURRENTLY RESIDING IN HAWAII AND TO REVIEW THE INFRASTRUCTURE SUPPORTS THAT ARE AVAILABLE TO THIS POPULATION UNDER THE COMPACT OF FREE ASSOCIATION," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 775, transmitting S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF HAWAII'S INDEPENDENT LIVING CENTER," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 776, transmitting S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 777, transmitting S.C.R. No. 92, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CREATE A CURRICULUM TO INCLUDE PARENTING CLASSES TO ASSIST YOUNG ADULTS IN ACQUIRING PARENTING SKILLS AND UNDERSTANDING PARENTAL RESPONSIBILITIES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 778, transmitting S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A SPECIAL MENTAL HEALTH TASK FORCE TO STUDY WHETHER HAWAII SHOULD PROVIDE A CONTINUUM OF MENTAL HEALTH CARE FOR INCARCERATED PERSONS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 779, transmitting S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE TRAFFIC SAFETY FUNCTION OF THE DEPARTMENT OF TRANSPORTATION," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 780, transmitting S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE ON CERTAIN AQUATIC SURF RESOURCES IN THE STATE INCLUDING THE COST OF FUNDING A STUDY ON THE FEASIBILITY OF CONSTRUCTING ARTIFICIAL REEFS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 781, transmitting S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING

FEDERAL, STATE, AND COUNTY AGENCIES TO IMPLEMENT THE 2006 OCEAN RESOURCES MANAGEMENT PLAN," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 782, transmitting S.C.R. No. 112, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, THE BOARD OF EDUCATION, AND THE HAWAII TEACHER STANDARDS BOARD TO PROPOSE EDUCATIONAL MEASURES THAT PROMOTE APPROPRIATE AND DIFFERENTIATED POLICIES AND PRACTICES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 783, transmitting S.C.R. No. 114, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE A REPORT ON GENETICALLY MODIFIED FOOD CROPS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 784, transmitting S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CODIFY THE LANGUAGE OF THE REFERENCES TO INTERNAL REVENUE CODE PROVISIONS IN SECTION 235-110.7, HAWAII REVISED STATUTES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 785, transmitting S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONTINUE AND EXPAND ITS EFFORTS TO RESPONSIBLY IDENTIFY PLACES THAT CAN SUSTAIN THE IMPACT OF OFF-ROAD VEHICLE OPERATION AND TO EVALUATE THE POSSIBILITY OF EXTENDING THE DAYS AND HOURS OF OPERATION OF EXISTING SITES THAT PERMIT OPERATION OF OFF-ROAD VEHICLES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 786, transmitting S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND STATE OF HAWAII DEPARTMENT OF HEALTH TO PURSUE A GLOBAL SETTLEMENT OF OUTSTANDING WASTEWATER ISSUES WITH THE CITY AND COUNTY OF HONOLULU, AND URGING THE ENVIRONMENTAL PROTECTION AGENCY TO RENEW THE 301(H) WAIVERS FOR THE HONOULIULI AND SAND ISLAND WASTEWATER TREATMENT PLANTS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 787, transmitting S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE BREASTFEEDING MOTHERS' BILL OF RIGHTS OFFERED AS SENATE BILL NO. 1674 AND ASSEMBLY BILL NO. 3782 IN THE NEW YORK STATE LEGISLATURE," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 788, transmitting S.C.R. No. 134, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND MANAGER'S RIDGE LLC TO DEVELOP A PLAN FOR THE CONTINUATION OF THE KAHUKU HIGH AND INTERMEDIATE SCHOOL AGRICULTURE PROGRAM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 789, transmitting S.C.R. No. 136, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT AN INTERIM DIRECTOR FOR THE EXECUTIVE OFFICE ON AGING UNTIL A PERMANENT DIRECTOR IS APPOINTED," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 790, transmitting S.C.R. No. 139, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING PEACE EDUCATION INTO THE SCHOOL CURRICULUM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 791, transmitting S.C.R. No. 140, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A UNIVERSITY OF HAWAII SECOND CENTURY PROMISE TASK FORCE," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 792, transmitting S.C.R. No. 144, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO REPORT TO THE LEGISLATURE REGARDING WHAT IMPACT A CASH AND COUNSELING PROGRAM WOULD HAVE ON MEDICAID AND ADULT SERVICES PROGRAMS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 793, transmitting S.C.R. No. 147, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO REPORT ON PROJECT SPENDING," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 794, transmitting S.C.R. No. 150, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH UNIFORM RULES AND PERMITTING PROCEDURES FOR PUBLIC BEACH WEDDINGS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 795, transmitting S.C.R. No. 153, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND THE IMPACTS THAT A LARGE INCREASE IN EMPLOYEES MAY HAVE ON THE SPARSELY POPULATED NORTH SHORE OF OAHU," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 796, transmitting S.C.R. No. 154, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A NORTH SHORE KAMEHAMEHA HIGHWAY TRAFFIC CONGESTION TASK FORCE TO CONDUCT AN ASSESSMENT OF TRAFFIC IMPACTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER DEVELOPMENTS IN THE REGION AND TO RECOMMEND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 797, transmitting S.C.R. No. 156, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF TRANSPORTATION SERVICES, AND VANPOOL HAWAII TO WORK COOPERATIVELY TO CREATE A SENIOR VAN POOL PROGRAM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 798, transmitting S.C.R. No. 160, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE REGULATION OF ENTITIES GOVERNED BY CHAPTER 514A OR 514B, HAWAII REVISED STATUTES, AND THE ENFORCEMENT OF POLICIES RELATING TO CONDOMINIUMS IN THE STATE THROUGH THE CREATION OF A CONDOMINIUM COMMISSION," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 799, transmitting S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF BUSINESS, ECONOMIC

DEVELOPMENT AND TOURISM CONDUCT A STUDY TO CREATE A ONE-STOP PERMIT SHOP FOR RENEWABLE ENERGY PROJECTS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 800, transmitting S.C.R. No. 168, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP COST ESTIMATES AND PLANS TO MAKE EXTENSIVE RENOVATIONS TO KAPAA, KAUAI, AND WAIMEA HIGH SCHOOL GYMNASIUMS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 801, transmitting S.C.R. No. 169, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A RECRUITMENT AND RETENTION PROGRAM TO INCLUDE CREATING A TEACHER CADET PROGRAM ADVISORY COUNCIL AND UNDERTAKE A STUDY TO REPORT ON THE STATUS AND NEEDS OF EXISTING TEACHER HOUSING," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 802, transmitting S.C.R. No. 170, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO INVESTIGATE AND DETERMINE WHETHER HAWAII PACIFIC HEALTH/WILCOX MEMORIAL HOSPITAL/KAUAI MEDICAL CLINIC HAS VIOLATED THE 2001 CERTIFICATE OF NEED AGREEMENT," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 803, transmitting S.C.R. No. 173, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 804, transmitting S.C.R. No. 175, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO MONITOR THE COLLECTION OF CRIME VICTIM COMPENSATION FEES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 805, transmitting S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE'S OPERATION OF THE MOLOKAI IRRIGATION SYSTEM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 806, transmitting S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS ON PUBLIC EMPLOYEES AND EMPLOYERS AND TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO EXTEND ACT 245, SESSION LAWS OF HAWAII 2005," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 807, transmitting S.C.R. No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO INCREASE ACADEMIC SERVICES AND EXTRACURRICULAR SERVICES FOR STUDENTS IN NON-SCHOOL HOUR PROGRAMS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 808, transmitting S.C.R. No. 182, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE FEASIBILITY OF A NATIVE HAWAIIAN HEALING PROGRAM THAT EMPHASIZE THE PRACTICE OF HOʻOPONOPONO AND THE CONCEPT OF PUʻUHONUA FOR EX-OFFENDERS AND PAROLEES TO FACILITATE THEIR REHABILITATION AND REENTRY INTO SOCIETY AND TO REDUCE RECIDIVISM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 809, transmitting S.C.R. No. 193, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO LEGISLATE A REDUCTION IN FEDERALLY REGULATED FEES OR AN EXEMPTION FROM FEDERAL STATUTES FOR TRANSPORTATION COSTS FOR LIVESTOCK FEED TO HAWAII," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 810, transmitting S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO STUDY THE DEVELOPMENT OF ADULT RESIDENTIAL CARE HOMES IN RESIDENTIAL NEIGHBORHOODS IN MANOA," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 811, transmitting S.C.R. No. 197, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 812, transmitting S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO EXAMINE THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED FOR LONG TERM CARE AND TO PROPOSE SOLUTIONS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 813, transmitting S.C.R. No. 199, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPAND AND EXTEND ITS CURRENT LAND LEASE WITH LEAHI HOSPITAL TO FACILITATE CAMPUS-WIDE MASTER PLANNING AND LONG TERM DEVELOPMENT OF GERIATRIC AND LONG-TERM HEALTH CARE SERVICES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 814, transmitting S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSESS THE FEASIBILITY OF ACQUIRING PROPERTY NEAR THE ISAAC HALE BEACH PARK AND POHOIKI BOAT RAMP IN PUNA, HAWAII," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 815, transmitting S.C.R. No. 209, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR USE OF THE LG1 INTELLIGENT MEDICAL VIGILANCE SYSTEM," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 816, transmitting S.C.R. No. 213, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 817, transmitting S.C.R. No. 214, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO CONVENE A TASK FORCE TO REVIEW POLICIES FOR STATE FUNDED PROGRAMS AND SERVICES ON THE USE OF RESTRAINTS AND SECLUSION ON ADULTS AND CHILDREN IN INSTITUTIONAL AND NONINSTITUTIONAL SETTINGS," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 818, transmitting S.C.R. No. 217, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO INCREASE THE MEDICARE REIMBURSEMENT RATES FOR HAWAII," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 819, transmitting S.C.R. No. 218, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ATTORNEY GENERAL TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL, EDUCATIONAL, HOUSING, AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 820, transmitting S.C.R. No. 219, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY WAIVER," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 821, transmitting S.C.R. No. 220, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STATEWIDE NEEDS ASSESSMENT OF NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," which was adopted by the Senate on April 13, 2007.

Sen. Com. No. 822, dated April 13, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

19, H.D. 2, S.D. 2	Sakamoto, Chair; Baker, Co-Chair; Tokuda, Gabbard
30, H.D. 2, S.D. 1	Baker, Chair; English, Co-Chair; Fukunaga, Tsutsui, Whalen
55, H.D. 1, S.D. 2	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Whalen
71, H.D. 2, S.D. 2	Chun Oakland, Chair; Ige/Taniguchi, Co-Chairs; Hemmings
104, H.D. 2, S.D. 2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
122, H.D. 1, S.D. 1	Baker, Chair; Fukunaga, Tsutsui, Whalen
154, H.D. 1, S.D. 1	Hee, Chair; Kokubun, Nishihara, Gabbard
155, H.D. 1, S.D. 2	English, Chair; Inouye/Baker, Co-Chairs; Tsutsui, Gabbard
162, H.D. 1, S.D. 2	Hee, Chair; Baker/Kokubun, Co-Chairs; Chun Oakland, Gabbard
211, H.D. 1, S.D. 1	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
212, H.D. 2, S.D. 2	Ige, Chair; Baker, Co-Chair; Fukunaga, Tsutsui, Whalen
277, H.D. 1, S.D. 2	Inouye, Chair; English/Tsutsui, Co-Chairs; Hemmings
310, H.D. 2, S.D. 2	Fukunaga, Chair; Tsutsui, Co-Chair; Ige, Slom
317, H.D. 2, S.D. 2	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
325, H.D. 2, S.D. 2	Chun Oakland, Chair; Ige/Tsutsui, Co-Chairs; Hemmings
357, H.D. 2, S.D. 1	English, Chair; Inouye/Baker, Co-Chairs; Gabbard
375, H.D. 1, S.D. 2	English, Chair; Hee, Co-Chair; Gabbard
379, H.D. 1, S.D. 2	Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard
451, H.D. 1, S.D. 1	Hee, Chair; Kokubun, Nishihara, Gabbard
497, H.D. 2, S.D. 2	English, Chair; Baker, Co-Chair; Tsutsui, Gabbard
531, H.D. 3, S.D. 2	Ige, Chair; Chun Oakland/Baker, Co-Chairs; Fukunaga, Whalen
600, H.D. 1, S.D. 2	Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard
751, H.D. 1, S.D. 2	Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard
760, H.D. 2, S.D. 2	Hee, Chair; Baker, Co-Chair; Chun Oakland, Kokubun, Tsutsui, Gabbard
777, H.D. 2, S.D. 2	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Gabbard
807, H.D. 1, S.D. 2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
825, H.D. 1, S.D. 2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
833, H.D. 2, S.D. 2	Chun Oakland, Chair; Hee, Co-Chair; Ihara, Hemmings
843, H.D. 2, S.D. 2	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
855, H.D. 1, S.D. 1	Hee, Chair; Kokubun, Nishihara, Gabbard
859, H.D. 2, S.D. 2	Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard
895, H.D. 2, S.D. 1	Inouye, Chair; English, Co-Chair; Hemmings
962, S.D. 2	Ige, Chair; Baker, Co-Chair; Chun Oakland, Whalen
964, H.D. 1, S.D. 2	Ige, Chair; Hee, Co-Chair; Fukunaga, Whalen
1008, H.D. 2, S.D. 2	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Hemmings
1034, S.D. 1	Fukunaga, Chair; Baker, Co-Chair; Ige, Slom
1044, H.D. 1, S.D. 2	Chun Oakland, Chair; Tsutsui, Co-Chair; Hemmings
1063, S.D. 1	Inouye, Chair; Tsutsui, Co-Chair; Chun Oakland, Hemmings
1083, H.D. 2, S.D. 2	Fukunaga, Chair; Tsutsui, Co-Chair; Ige, Slom
1130, H.D. 1, S.D. 1	Hee, Chair; Kokubun, Nishihara, Gabbard
1133, H.D. 1, S.D. 2	Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1149, H.D. 1, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1155, H.D. 1, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1171, H.D. 1, S.D. 1 Baker, Chair; Tsutsui, Whalen

1210, H.D. 1, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1211, H.D. 2, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1212, H.D. 2, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard

1231, H.D. 2, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard

1246, H.D. 1, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1256, H.D. 1, S.D. 1 Fukunaga, Chair; Inouye/Hee, Co-Chairs; Slom

1260, H.D. 1, S.D. 1 Ige, Chair; Hee, Co-Chair; Whalen

1268, H.D. 3, S.D. 2 Sakamoto, Chair; Ige/Tsutsui, Co-Chairs; Tokuda, Gabbard

1291, H.D. 1, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1292, H.D. 1, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1356, H.D. 2, S.D. 2 Chun Oakland, Chair; Tsutsui, Co-Chair; Sakamoto, Hemmings

1359, H.D. 1, S.D. 2 Ige, Chair; Taniguchi/Baker, Co-Chairs; Chun Oakland, Whalen

1370, H.D. 1, S.D. 1 Ige, Chair; Baker, Co-Chair; Whalen

1379, H.D. 1, S.D. 1 Baker, Chair; Hooser, Tsutsui, Whalen

1406, H.D. 1, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1435, H.D. 1, S.D. 2 Fukunaga, Chair; Tsutsui, Co-Chair; Slom

1479, H.D. 2, S.D. 2 Ige, Chair; Taniguchi, Co-Chair; Fukunaga, Whalen

1493, H.D. 2, S.D. 1 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1500, H.D. 2, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1503, H.D. 1, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1567, S.D. 1 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1568, S.D. 1 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1569, S.D. 1 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1570, S.D. 1 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1572, S.D. 1 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1605, H.D. 1, S.D. 1 English, Chair; Baker, Co-Chair; Tsutsui, Gabbard

1614, H.D. 2, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Gabbard

1631, H.D. 2, S.D. 2 Fukunaga, Chair; Baker, Co-Chair; Ige, Slom

1670, H.D. 2, S.D. 2 Fukunaga, Chair; Sakamoto/Baker, Co-Chairs; Slom

1719, H.D. 1, S.D. 1 Fukunaga, Chair; Nishihara/Baker, Co-Chairs; Slom

1721, H.D. 1, S.D. 2 Ige, Chair; Hee, Co-Chair; Fukunaga, Whalen

1746, S.D. 2 Hee, Chair; Baker, Co-Chair; Kokubun, Tsutsui, Gabbard

1764, H.D. 1, S.D. 1 Ige, Chair; Baker, Co-Chair; Tsutsui, Whalen

1818, H.D. 2, S.D. 1 Hee, Chair; Kokubun, Nishihara, Gabbard

1830, H.D. 2, S.D. 2 Chun Oakland, Chair; Hee, Co-Chair; Hemmings

Sen. Com. No. 823, dated April 13, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the House to the following Senate Bills:

11, S.D. 3, H.D. 2 Ige, Chair; Inouye/Fukunaga/Baker, Co-Chairs; Tsutsui, Whalen

12, S.D. 2, H.D. 2 Ige, Chair; Taniguchi, Co-Chair; Fukunaga, Whalen

139, S.D. 1, H.D. 1 Ige, Chair; Fukunaga/Baker, Co-Chairs; Whalen

170, S.D. 1, H.D. 1 Taniguchi, Chair; Espero, Slom

667, S.D. 3, H.D. 2 Ige, Chair; Taniguchi, Co-Chair; Baker, Fukunaga, Whalen

679, S.D. 2, H.D. 2 Nishihara, Chair; Inouye/Baker, Co-Chairs; Kim, Tsutsui, Trimble

810, S.D. 2, H.D. 1 Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen

973, S.D. 2, H.D. 2 Ige, Chair; Chun Oakland/Baker, Co-Chairs; Whalen

1008, S.D. 1, H.D. 2 Taniguchi, Chair; Espero, Trimble

1115, S.D. 2, H.D. 1 Ige, Chair; Chun Oakland/Baker, Co-Chairs; Whalen

1133, S.D. 3, H.D. 1 Fukunaga, Chair; Baker, Co-Chair; Espero

1282, S.D. 2, H.D. 1 Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen

1283, S.D. 2, H.D. 2 Ige, Chair; Sakamoto/Baker, Co-Chairs; Whalen

1425, S.D. 2, H.D. 1 Inouye, Chair; Taniguchi, Co-Chair; Sakamoto, Hemmings

1457, S.D. 2, H.D. 2 Ige, Chair; Baker, Co-Chair; Chun Oakland, Whalen

1603, S.D. 2, H.D. 2	Kokubun, Chair; Inouye/Hee, Co-Chairs; Hooser, Slom
1636, S.D. 2, H.D. 3	Ige, Chair; Hee, Co-Chair; Fukunaga, Whalen
1665, H.D. 1	Hee, Chair; Kokubun, Nishihara, Whalen
1676, S.D. 2, H.D. 1	Ige, Chair; Taniguchi/Baker, Co-Chairs; Whalen
1804, S.D. 2, H.D. 2	Ige, Chair; Baker, Co-Chair; Fukunaga, Hemmings

Sen. Com. No. 824, dated April 13, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 603, SD 2, HD 2	Senator Chun Oakland added as a conferee.
S.B. No. 686, SD 1, HD 1	Senator Tokuda added as a conferee.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Ching introduced fifth students from Maemae Elementary School, accompanied by parent chaperones, Mrs. Julie Ihara, Mr. Greg Meyer, Ms. Susan Takumi, and Mrs. Suzanne Efhan; and teachers, Ms. Tess Yasui and Mrs. Lisa Kumashiro.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	**Referred to:**
7	Committee on Judiciary
9	Committee on Judiciary, then to the Committee on Finance
11, SD1	Committee on Judiciary, then to the Committee on Finance
12, SD1	Committee on Judiciary, then to the Committee on Finance
17	Committee on Health, then to the Committee on Education
19, SD1	Committee on Public Safety & Military Affairs
24, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
25, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
32	Committee on Public Safety & Military Affairs
33	Committee on Health
37	Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance
44	Committee on Labor & Public Employment, then to the Committee on Finance
46, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
48, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary
52, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Education
55, SD1	Committee on Education
57, SD1	Committee on Education
61, SD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance
68, SD1	Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
71	Jointly to the Committee on Human Services & Housing and the Committee on Legislative Management, then to the Committee on Finance
74, SD1	Jointly to the Committee on Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
75, SD1	Committee on Tourism & Culture, then to the Committee on Legislative Management
77, SD1	Committee on Human Services & Housing, then to the Committee on Judiciary
81	Committee on Human Services & Housing, then to the Committee on Legislative Management
91, SD1	Committee on Human Services & Housing, then to the Committee on Finance
92	Jointly to the Committee on Education and the Committee on Human Services & Housing
93, SD1	Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance
98, SD1	Committee on Transportation, then to the Committee on Legislative Management
101	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
107, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
112, SD1	Committee on Education
114, SD1	Committee on Agriculture, then to the Committee on Legislative Management

115, SD1	Committee on Finance
116, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
118, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
122, SD1	Committee on Human Services & Housing
134, SD1	Committee on Education, then to the Committee on Finance
136, SD1	Committee on Human Services & Housing
139	Committee on Education
140, SD1	Committee on Higher Education, then to the Committee on Finance
144, SD1	Committee on Human Services & Housing, then to the Committee on Finance
147, SD2	Committee on Human Services & Housing, then to the Committee on Finance
150, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
153	Committee on Labor & Public Employment, then to the Committee on Tourism & Culture, then to the Committee on Legislative Management
154, SD1	Committee on Transportation, then to the Committee on Tourism & Culture
156	Committee on Transportation, then to the Committee on Finance
160, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
164	Committee on Energy & Environmental Protection
168, SD1	Committee on Education, then to the Committee on Finance
169, SD1	Jointly to the Committee on Education and the Committee on Human Services & Housing
170, SD1	Committee on Health
173	Committee on International Affairs, then jointly to the Committee on Higher Education and the Committee on Education
175	Committee on Judiciary
176	Committee on Agriculture, then to the Committee on Legislative Management
178	Committee on Labor & Public Employment, then jointly to the Committee on Finance and the Committee on Legislative Management
179, SD1	Committee on Education
182, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
193, SD1	Committee on Agriculture, then to the Committee on Transportation
196, SD1	Jointly to the Committee on Human Services & Housing and the Committee on Health
197	Committee on Health, then to the Committee on Finance
198	Jointly to the Committee on Health and the Committee on Human Services & Housing
199, SD1	Committee on Health, then to the Committee on Higher Education
207	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
209	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
212, SD2	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
213	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
214, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
217	Jointly to the Committee on Health and the Committee on Human Services & Housing
218, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
219	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
220, SD1	Committee on Human Services & Housing, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	**Re-referred to:**
19, HD2, SD2	Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
116, HD2, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
155, HD1, SD2	Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

162, HD1, SD2	Committee on Judiciary, then to the Committee on Labor & Public Employment, then to the Committee on Finance
257, HD1, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Human Services & Housing, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
310, HD2, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Finance
338, HD2, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance
349, SD1	Committee on Transportation, then to the Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns
367, HD1, SD3	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance
639, HD2, SD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
652, HD2, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
714, HD2, SD1	Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
718, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
869, HD1, SD2	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance
964, HD1, SD2	Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Judiciary
1004, HD2, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Legislative Management, then to the Committee on Finance
1120, HD2, SD1	Committee on Health, then to the Committee on Human Services & Housing, then to the Committee on Finance
1171, HD1, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1270, HD2, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance
1277, HD2, SD3	Committee on Economic Development & Business Concerns, then to the Committee on Tourism & Culture, then to the Committee on Finance
1283, HD2, SD2	Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1567, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1568, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1569, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1570, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1572, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
1818, HD2, SD1	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

S.B. Nos.	**Re-referred to:**
613, SD2, HD2	Committee on Education, then to the Committee on Higher Education, then to the Committee on Finance
620, SD1, HD1	Committee on Education, then to the Committee on Finance
679, SD2, HD2	Jointly to the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
992, SD1, HD2	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1133, SD3, HD1	Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1402, SD1, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
1412, SD2, HD2	Committee on Judiciary, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1515, SD2, HD2	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
1803, SD1, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Economic Development & Business Concerns

1928, SD2, HD3 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

1929, SD2, HD2 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

1946, SD2, HD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

1947, SD1, HD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

ANNOUNCEMENTS

The Chair then announced:

"This House will stand in recess for the purpose of convening in Joint Session in the Senate Chamber at 10:00 a.m. We will reconvene the House session this afternoon at 2:30 p.m."

At 9:46 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 329, met in Joint Session with the Senate, for the Hawaii Medal of Honor Ceremony.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Third Legislature was called to order at 10:13 o'clock a.m. by the Honorable Colleen Hanabusa, President of the Senate.

Senate President Hanabusa addressed the Members and audience, stating:

"This is indeed a momentous occasion. We honor members of the Armed Forces of the United States, with ties to Hawaii, who fought and died bravely, in a combat zone designated by Presidential Order.

"On behalf of the House Speaker and all of the Members of the Hawaii State Legislature, I convey our deepest condolences to our very special guests—the family, friends and colleagues of loved ones, who have lost their lives overseas in the Middle East. Our prayers are with you, and we are honored by your presence."

The members of the House, guests, and audience rose for the presentation of our Nation's and our State's Colors by the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard. The singing of the National Anthem and *Hawaii Pono'i* was led by Mr. Randall Hongo, Mrs. Gay Hongo, and their son, Mr. Andrew Hongo, thereafter the invocation was delivered by Mr. Ray Ganotise.

At this time, Senate President Hanabusa delivered the following remarks:

"Mahalo Joint Service Color Guard, Reverend and Mrs. Randall Hongo, and son, Andrew, and Mr. Raymond Ganotise your participation in today's ceremony is greatly appreciated.

"Courage, that rare and indefinable character that propels a few among us to do what is difficult and dangerous; to take on challenges that so many of us find beyond our grasp. Duty, the drive to serve country, community, and family; that will carry daughter from Washington, a son from Delaware, or a husband from Hilo across the world to stand for their nation in a time of war. Honor, the result when that uncommon valor and unshakable duty combine in action that awes us, inspires us, humbles us and shows us the height to which human endeavor can aspire.

"Today, we gather in Joint Session to honor those who have made a sacrifice for which we cannot ask and we shall not forget. We honor the family, friends and colleagues who have also sacrificed. Who have themselves paid a price and who helped make today's honorees the brave, strong individuals that we called on and counted on to serve our nation. We offer this honor as a small token that we can never in itself repay the honor that has been given us. An honor borne of courage, driven by duty, and paid for in loss, the highest price ever.

"The roll of heroes that we call today is more than a list of names. It is an acknowledgement of community. The Hawaii Medal of Honor is reserved for those who have touched our islands and have felt the touch of our people. And in offering to those gathered here in memory of those who have fallen, we recognize that they are part of us. For each and every one of you, your tears are our tears. Your loss, our loss. Your pride, our pride.

"Wherever each of these medals finds it final home, a piece of our heart goes with you. You will always be part of our *ohana*, our family, because you have brought us honor and allowed us to share these lives. These medals symbolize our aloha. Our farewell to those we have lost. But also our love for those who have lived among us, touched us and sacrificed for us. And our enduring welcome for all represented here today, the fallen and their families who will be counted among us forever. Mahalo."

At this time, the President of the Senate introduced the following dignitaries seated on the floor of the Senate:

Major General Robert G.F. Lee, representing Honorable Linda Lingle, Governor of the State of Hawaii;

Lieutenant General Daniel P. Leaf, United States Pacific Command;

Lieutenant General John M. Brown, III, United States Army Pacific;

Lieutenant General John Goodman and Mrs. Gayle Goodman, Untied States Marine Corps and Marine Forces Pacific;

Rear Admiral Townsend G. Alexander, United States Navy and Navy Region Hawaii;

Brigadier General Alexander Kozlov, United States Army Reserves;

Captain Charles Ray, United States Coast Guard and the Fourteenth Coast Guard District;

Colonel Jeffrey Stephenson, United States Air Force and the Pacific Air Force;

Ms. Jennifer Sabas, representing the Honorable Daniel K. Inouye, United States Senator;

Mr. Kekoa Kaluhiwa, representing the Honorable Daniel K. Akaka, United States Senator; and

Mr. Carl Takamura, representing the Honorable Mazie K. Hirono, United States Congresswoman.

The President then called upon Major General Robert Lee to deliver his remarks as follows:

"Thank you, Senator Hanabusa. Good morning and aloha. I want to thank everyone for coming to this Medal of Honor Ceremony today. Your presence here is strong testimony to the support Hawaii has for our military personnel, our veterans, and their families.

"We are once again involved in hostilities in foreign lands. Our armed forces are once again fighting and dying for the ideals that our nation holds so dear. America's sons and daughters bravely go into harm's way to protect us and to defend our way of life.

"Losing a loved one is never easy. It is difficult to say goodbye to a parent or grandparent who has lived a long and fruitful life. But it is so much more difficult to witness the passing of a loved one who was in the prime of life and whose full potential did not yet have an opportunity to blossom. Such is the case of our heroes from the armed forces who we lost too soon.

"We will lament the missed birthdays, anniversaries, holidays, and really thousands of other daily events that could have been. We will continue to mourn this premature passing of our brothers and sisters in arms.

"The State Medal of Honor is Hawaii's way in which we can remember that ultimate sacrifice. To show our appreciation to the families and to assure them that they will always be part of the State's *ohana* or family.

"A circle of *kalo* or taro leaves is part of the Hawaii Medal of Honor. The word *ohana* was derived from *kalo* and the circle is emblematic of the embrace of the people of Hawaii. Whether a fallen soldier, marine, or sailor grew up in Hawaii, or were members of units based in Hawaii, he is still embraced as part of our *ohana*.

"The star in the coat of arms of the medal represents the fiftieth state star on the American flag and also represents the person who is being honored. But the star also evokes a symbol of America's past. During World Wars I and II, families that had a member serving in the armed forces would display a blue star on a banner or flag in front of their home. If a service member from that family was killed in action, a gold star was often displayed in a window facing the street to let the neighborhood know that the life of a hero who had grown up there had been taken.

"Today this medal is a token of our gratitude from the State of Hawaii proclaiming to all that this is a family of a fallen hero. There is no greater sacrifice a family can make than the loss of a soldier, sailor, marine or airman while in service to our nation. And there is no greater honor which we the people of Hawaii can bestow upon them to symbolize that sacrifice.

"There's an attachment device in the middle of the red and yellow ribbon which is a rendering of the ancient *puela* or flag. And this was raised at sea above the sail of their canoes. All who saw the *puela* from afar, knew that a person of the highest rank or honor was coming.

"Today, this service ribbon and its *puela* will remind us that these families are of the highest rank and honor. We appreciate even more President Abraham Lincoln's humble wisdom at Gettysburg: "When brave men die, it is their deeds, and not our words that are remembered. It is their sacrifice and not our brief recollection that offers everlasting testimony to their love for others and their love for us".

"To the families of our fallen heroes, I humbly ask that you accept this Hawaii Medal of Honor on behalf of the people of Hawaii, who are today, and forever shall be, your devoted *ohana*. May God bless all of you, and may he continue to bless the United States of America."

At this time, the President of the Senate and Speaker of the House presented the Hawaii Medal of Honor. The Clerk of the Senate announced the names of the Hawaii Medal of Honor recipients, which was followed by the ringing of the memorial bell.

United State Marine Corps First Lieutenant Dustin M. Shumney.
First Lieutenant Shumney was 30. He served with the 1st Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Shama Shumney.

United States Marine Corps Lance Corporal Richard A. Perez, Jr.
Lance Corporal Perez was 19. He grew up in Aiea, Hawaii. Here to receive his medal is his father Richard A. Perez, Sr.

United States Marine Corps Lance Corporal Kristen K. Figueroa Marino.
Lance Corporal Figueroa Marino was 20. He grew up in Honolulu. Here to receive his medal is his mother Sandra Marino.

United States Marine Corps Lance Corporal Nicholas R. Anderson.
Lance Corporal Anderson was 21. He served with the 1st Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Barbara Anderson.

United States Marine Corps Corporal Andres Aguilar, Jr.
Corporal Aguilar was 21. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Andy Aguilar.

United States Army Sergeant Steve M. Sakoda.
Sergeant Sakoda was 29. He grew up in Hilo, Hawaii. Here to receive his medal is his sister Stella Sakoda Hottendorf.

United States Marine Corps Lance Corporal Adam C. Conboy.
Lance Corporal Conboy was 21. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Charles Conboy.

United States Marine Corps Lance Corporal Hatak Yuka Keyu M. Yearby.
Lance Corporal Yearby was 21. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his Platoon Sergeant and friend Sergeant Rodrigo Roman.

United States Marine Corps Sergeant David R. Christoff, Jr.
Sergeant Christoff was 25. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father David R. Christoff, Sr.

United States Marine Corps Lance Corporal William J. Leusink.
Lance Corporal Leusink was 21. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his wife Miranda Leusink.

United States Marine Corps Corporal Michael A. Estrella.
Corporal Estrella was 20. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Marie Estrella.

United States Army Corporal Jeremy R. Shank.
Corporal Shank was 18. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his brother Christopher Shank.

United States Marine Corps Lance Corporal Ryan A. Miller.
Lance Corporal Miller was 19. He served with the 3rd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is fellow Marine and friend Corporal J. Luke Sims.

United States Army Private First Class Kenneth E. Kincaid IV.
Private First Class Kincaid was 25. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his friend Tracy McCool.

United States Marine Corps Private First Class Christopher T. Riviere.
Private First Class Riviere was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Margaret Lomba.

United States Army Staff Sergeant Daniel Isshak.
Staff Sergeant Isshak was 25. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his mother Betty Isshak.

United States Marine Corps Lance Corporal Derek W. Jones.
Lance Corporal Jones was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his wife Pamela Jones.

United States Marine Corps Lance Corporal Jeremy S. Sandvick Monroe.
Lance Corporal Sandvick Monroe was 20. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Mellissa Sandvick Pike.

United States Army Captain Shane T. Adcock.
Captain Adcock was 27. He served with the 3rd Battalion, 7th Field Artillery from Schofield Barracks. Here to receive his medal is his brother-in-law Matthew Skeel.

United States Army Private First Class Kenny F. Stanton, Jr.
Private First Class Stanton was 20. He served with the 57th Military Police Compnay, 8th Military Police Brigade from Schofield Barracks. Here to receive his medal is his father Kenny F. Stanton, Sr.

United States Marine Corps First Lieutenant Joshua L. Booth.
First Lieutenant Booth was 23. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his wife Erica Booth.

United States Marine Corps Private Edwardo J. Lopez.
Private Lopez was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Martha Lopez.

United States Marine Corps Lance Corporal Daniel B. Chaires.
Lance Corporal Chaires was 20. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Harry Chaires.

United States Marine Corps Lance Corporal Donald S. Brown.
Lance Corporal Brown was 19. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Phillip Brown.

United States Marine Corps Lance Corporal Timothy W. Brown.
Lance Corporal Brown was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Susan Brown.

United States Marine Corps Lance Corporal Mario D. Gonzalez.
Lance Corporal Gonzalez was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Mario Gonzalez.

United States Marine Corps Lance Corporal Michael D. Scholl.
Lance Corporal Scholl was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his wife Melissa Scholl.

United States Marine Corps Lance Corporal James R. Davenport.
Lance Corporal Davenport was 20. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Tammie Davenport.

United States Marine Corps Private First Class Heath D. Warner.
Private First Class Warner was 19. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Scott Warner.

United States Marine Corps Lance Corporal Joshua C. Alonzo.
Lance Corporal Alonzo was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his sister Erica Alonzo-Rizzi.

United States Marine Corps Corporal Jeromy D. West.
Corporal Jeromy West was 20. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Lisa A. West-Klopf.

United States Army Sergeant Keith E. Fiscus.
Sergeant Fiscus was 26. He served with the 1st Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his father Darrell Fiscus.

United States Marine Corps Lieutenant Colonel Joseph T. McCloud.
Lieutenant Colonel McCloud was 39. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his wife Margaret McCloud.

United States Marine Corps Corporal Joshua C. Sticklen.
Corporal Sticklen was 24. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his wife Jennifer Sticklen.

United States Marine Corps Major Megan Malia-Leilani McClung.
Major McClung was 34. She was born in Hawaii. Here to receive her medal is her mother Dr. Re McClung.

United States Army Private First Class Travis C. Krege.
Private First Class Krege was 24. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his Battalion Commander and friend Lieutenant Colonel Drew Meyerowich.

United States Army Corporal Jason I. Huffman.
Corporal Huffman was 23. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his Battalion Commander and friend Lieutenant Colonel Drew Meyerowich.

United States Army Corporal Yari Mokri.
Corporal Mokri was 26. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his Battalion Commander and friend Lieutenant Colonel Drew Meyerowich.

United States Army Sergeant Joshua B. Madden.
Sergeant Madden was 21. He served with the 2nd Battalion, 27th Infantry Regiment from Schofield Barracks. Here to receive his medal is his mother and father, Cindy and Jerry Madden.

United States Marine Corps Lance Corporal Stephen L. Morris.
Lance Corporal Morris was 21. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his father Lloyd Morris, Jr.

United States Army Corporal Toby R. Olsen.
Corporal Olsen was 28. He graduated from Mililani High School. Here to receive his medal is family friend Lieutenant Colonel Robert Mundell.

United States Navy Hospitalman Matthew G. Conte.
Hospitalman Conte was 22. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his mother Lureen Conte.

United States Marine Corps Lance Corporal Anthony L. Aguirre.
Lance Corporal Aguirre was 20. He served with the 2nd Battalion, 3rd Marine Regiment from Kaneohe Marine Corps Base Hawaii. Here to receive his medal is his sister Christina Castillo.

Senate President Hanabusa then stated:

"Members of the Senate and Members of the House, please applaud the recipients' family members, friends and colleagues who have joined us in the Chamber today.

"Members of the Senate, Members of the House, please afford the Speaker and myself this bit of indulgence. For those of you who are not at the vantage point that we are, looking up in the gallery, you see many people in uniform, predominantly from the Marines and the Army. I've learned from Major General Lee, that they have just returned from Iraq. And as you know, many of the names that were read today are from the Marines and Army, as well as other members of the service. However, will you please join us in applauding those who are here today to honor their fallen fellow servicemen."

The President of the Senate then directed the Clerk of the House to proceed with the reading of the names of the other Hawaii Medal of Honor recipients.

United State Army Private First Class Joseph I. Love

United States Marine Corps Staff Sergeant Jason C. Ramseyer

United States Marine Corps Corporal Eric R. Lueken

United States Army Staff Sergeant Metodio A. Bandonill

United States Marine Corps Staff Sergeant Edward G. Davis III

United States Marine Corps Corporal Brandon M. Hardy

United States Marine Corps Sergeant Lea R. Mills

United States Marine Corps Lance Corporal Jose S. MarinDominguez, Jr.

United States Army Staff Sergeant Jeffrey S. Loa

United States Army Sergeant First Class Michael T. Fuga

United States Marine Corps Corporal Yull Estrada Rodriguez

United States Army Sergeant Velton Locklear III

United States Marine Corps Lance Corporal James Chamroeun

United States Army Corporal Michael K. Oremus

United States Army First Lieutenant Joshua Deese

United States Army Sergeant Jonathan E. Lootens

United States Army Staff Sergeant Richwell A. Doria

United States Army Sergeant Jesse J.J. Castro

United States Marine Corps Lance Corporal Matthew W. Clark

United States Army Staff Sergeant Henry K. Kahalewai, Jr.

United States Marine Corps Gunnery Sergeant Terry J. Elliott

United States Army Corporal Kenneth T. Butler

United States Army Corporal David C. Armstrong

United States Marine Corps Lance Corporal Daniel T. Morris

At this time, Members of the United States Air Force proceeded with a 21-gun Salute and the playing of Taps outside the Senate Chamber in the Capitol Rotunda. The Members of the Senate and the House of Representatives, honored families, special guests and audience then stood for a moment of silence.

House Speaker Say then delivered closing remarks as follows:

"We have all just participated in a most somber and touching ceremony. We -- family and friends, colleagues and strangers – all mourn together. And we all, have an abundance of thoughts and emotions to contemplate and put to rest.

"We should not, however, consider this day as a completely somber occasion. There are some very positive lessons to be derived from this ceremony.

"First, we have honored 67 young men and women for the ultimate sacrifice one can give to his or her country. The Medals awarded today, will help us here – and this generation – to remember these courageous individuals. More importantly, by placing these names in the permanent record of Hawaii's legislative history, we are assured that these warriors will be remembered in perpetuity, by generations to follow.

"Second, this ceremony has brought us together. Family members and friends of the fallen ones have come from locations across the State, and across the Nation, to participate in this ceremony, and to commemorate the memory of their loved ones and comrades in arms. We, the participants from Hawaii, welcome the opportunity to make new friends – to reminisce with our honored families and to listen to their stories – and to share our aloha.

"Third, this ceremony reminds us of the importance of dignity and tradition, and the strength and resolve of America's armed forces. Without the protection of our uniformed men and women, we civilians would probably not be able to reap the benefits of a free and democratic society. The military is the unseen force that protects us from threats far and near, and allows us to exercise our democratic rights of speech, liberty and peace. As civilians, we should show our appreciation to our military personnel more often.

"And finally, this ceremony reminds us that we must be deserving of the sacrifices of these brave men and women honored today. For them, we must live our lives honorably. For them, we must be unselfish, and willing to serve and share with others. And for them, we must work towards progress for the betterment of society and mankind – not for personal award or acclaim. In sum, we must live in a manner that proves – that we are worthy of their sacrifice. Aloha and mahalo."

The Speaker of the House then called on the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard for the retiring of the Colors, and at 11:12 o'clock a.m., declared the Joint Session of the House of Representatives and the Senate adjourned.

RECONVENE

At 2:37 o'clock p.m., the House of Representatives reconvened with the Speaker presiding.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 825 and 826) were received and announced by the Clerk:

Sen. Com. No. 825, dated April 16, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

34, SD2	English, Chair; Hee/Baker, Co-Chairs; Gabbard
150, HD2, SD2	Chun Oakland, Chair; Taniguchi/Kokubun/Baker, Co-Chairs; Tsutsui, Hemmings
356, HD2, SD1	English, Chair; Hee, Co-Chair; Whalen
436, HD1, SD1	Chun Oakland, Chair; Taniguchi/Tsutsui, Co-Chairs; Ihara, Hemmings
469, HD1, SD2	Chun Oakland, Chair; Taniguchi/Hee, Co-Chairs; Hemmings
483, HD1, SD1	Taniguchi, Chair; Espero, Slom
487, HD1, SD1	Taniguchi, Chair; Espero, Slom
676, HD1, SD1	Hee, Chair; Kokubun, Nishihara, Gabbard
776, SD1	Taniguchi, Chair; Espero, Slom
936, HD2, SD1	Taniguchi, Chair; Ihara, Slom
1152, HD1, SD2	Hee, Chair; Kokubun, Nishihara, Gabbard
1264, SD1	Taniguchi, Chair; Espero, Ihara, Slom
1277, HD2, SD3	Nishihara, Chair; Fukunaga/Baker, Co-Chairs; Kim, Tsutsui, Trimble
1337, HD1, SD1	Taniguchi, Chair; Espero, Slom
1339, HD1, SD1	Taniguchi, Chair; Sakamoto, Slom
1345, HD2, SD3	Inouye, Chair; Baker, Co-Chair; Tsutsui, Hemmings
1352, HD1, SD2	Nishihara, Chair; Tsutsui, Co-Chair; Kim, Trimble
1399, SD1	Espero, Chair; Hee, Co-Chair; Nishihara, Whalen
1440, HD3, SD1	Espero, Chair; Hee/Baker, Co-Chairs; Sakamoto, Whalen
1608, SD3	English, Chair; Hee, Co-Chair; Gabbard
1612, SD1	Taniguchi, Chair; Espero, Ihara, Slom
1630, HD2, SD2	Fukunaga, Chair; Baker, Co-Chair; Espero, Slom
1659, HD2, SD1	Nishihara, Chair; Tsutsui, Co-Chair; Kim, Trimble
1757, HD1, SD3	English, Chair; Hee, Co-Chair; Gabbard
1833, HD1, SD1	Taniguchi, Chair; Sakamoto, Slom
1836, HD1, SD2	Hee, Chair; Kokubun, Nishihara, Gabbard
1909, HD1, SD2	Hee, Chair; Kokubun, Nishihara, Gabbard

Sen. Com. No. 826, dated April 16, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the House to the following Senate Bills:

798, SD3, HD2	Inouye, Chair; Fukunaga/Tsutsui, Co-Chairs; Hemmings
990, SD2, HD3	Taniguchi, Chair; Tsutsui, Co-Chair; Slom
1004, SD2, HD2	Ige, Chair; Taniguchi, Co-Chair; Baker, Trimble
1229, SD2, HD1	Taniguchi, Chair; Hee/Tsutsui, Co-Chairs; Slom
1352, SD2, HD2	Taniguchi, Chair; Tsutsui, Co-Chair; Baker, Slom
1402, SD1, HD1	Taniguchi, Chair; Tsutsui, Co-Chair; Slom
1412, SD2, HD2	Taniguchi, Chair; Hee/Tsutsui, Co-Chairs; Slom
1654, SD1, HD1	Taniguchi, Chair; Espero, Slom
1674, SD1, HD2	Ige, Chair; Taniguchi, Co-Chair; Baker, Whalen
1675, SD1, HD1	Ige, Chair; Hee, Co-Chair; Fukunaga, Whalen
1792, SD3, HD3	Ige, Chair; Baker, Co-Chair; Tsutsui, Whalen

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representatives Berg, Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro, Takai, Takamine and Thielen were excused.)

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine were excused.)

H.B. No. 389, HD 1, SD 1
H.B. No. 854, HD 1, SD 1
H.B. No. 861, HD 1, SD 1
H.B. No. 910, HD 1, SD 1
H.B. No. 1018, HD 2, SD 2
H.B. No. 1103, SD 1
H.B. No. 1248, HD 1, SD 1
H.B. No. 1328, HD 2, SD 2
H.B. No. 1336, SD 1

H.B. No. 1513, HD 1, SD 1
H.B. No. 1750, HD 2, SD 1

H.B. No. 389, H.D. 1, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 389, H.D. 1 and H.B. No. 389, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 854, H.D. 1, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 854, H.D. 1 and H.B. No. 854, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES," passed Final Reading by a vote of 36 ayes to 4 noes, with Representatives Ching, Marumoto, Meyer and Ward voting no, and with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 861, H.D. 1, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 861, H.D. 1 and H.B. No. 861, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Final Reading by a vote of 36 ayes to 4 noes, with Representatives Ching, Marumoto, Meyer and Ward voting no, and with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 910, H.D. 1, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 910, H.D. 1 and H.B. No. 910, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1018, H.D. 2, S.D. 2:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1018, H.D. 2 and H.B. No. 1018, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1103, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1103 and H.B. No. 1103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1248, H.D. 1, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1248, H.D. 1 and H.B. No. 1248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1328, H.D. 2, S.D. 2:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1328, H.D. 2 and H.B. No. 1328, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1336, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1336 and H.B. No. 1336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1513, H.D. 1, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1513, H.D. 1 and H.B. No. 1513, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

H.B. No. 1750, H.D. 2, S.D. 1:

On motion by Representative M. Oshiro, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1750, H.D. 2 and H.B. No. 1750, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Final Reading by a vote of 40 ayes, with Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki, Shimabukuro and Takamine being excused.

At 2:43 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 389, HD 1, SD 1
H.B. No. 854, HD 1, SD 1
H.B. No. 861, HD 1, SD 1
H.B. No. 910, HD 1, SD 1
H.B. No. 1018, HD 2, SD 2
H.B. No. 1103, SD 1
H.B. No. 1248, HD 1, SD 1
H.B. No. 1328, HD 2, SD 2
H.B. No. 1336, SD 1
H.B. No. 1513, HD 1, SD 1
H.B. No. 1750, HD 2, SD 1

ANNOUNCEMENTS

Representative Awana: "Thank you, Mr. Speaker. I rise to request a point of personal privilege. Thank you, Mr. Speaker. Earlier today we were privileged to honor the families of servicemen who lost their lives sacrificing for our country. It is ironic that this memorial came on the same day when families on the East Coast were grieving at the tragic loss of lives at the Virginia Tech University this morning. Thirty-three college students working to educate themselves so they could go on to serve their country were helplessly gunned down. The needless loss of life was incomprehensible.

"We have come to expect that there will be casualties on the battlefield, but our County's schools and universities are supposed to be our safe havens. Mr. Speaker, on behalf of my constituents and all of us in this Chamber, I ask for a moment of silence in memory of the friends, families and individuals who are directly affected by this tragedy. Thank you, Mr. Speaker."

At this time, the House of Representatives stood for a moment of silence in memory of the friends, family and individuals affected by the Virginia Tech University campus incident of this date which resulted in 33 deaths.

Representative Takai: "Thank you, Mr. Speaker. With your permission I'd like to acknowledge some of the people that participated and assisted with this morning's ceremony.

"Thank you, Mr. Speaker. First of all, Mr. Speaker, thank you for giving me the opportunity to once again coordinate the Hawaii Medal of Honor Ceremony, as well as all the preparations prior. But it took many, many people and I'd like to acknowledge the people who made this all happen.

"First, I'd like to thank all of our staff here and in the Senate. Senate Chief Clerk, Carol Taniguchi and her staff; House Chief Clerk Pat Mau-Shimizu and her staff; Senate Sergeant-at-Arms Ben Villaflor and his staff; House Sergeant-at-Arms Kevin Kuroda and his staff; and Linda Oamilda and the House Majority Staff Office.

"We did get a lot of support and assistance from the military. And I would like to recognize Dennis Fujii from the US Pacific Command, and Leighton Siu from the Governor's office, who helped us with protocol.

"I also wanted to mention three individuals who helped us very early on to identifying the people that we recognized today. From the Army, we had Mr. Mark Van Doorne. From the Marines, we had Captain Mark Nicholson and Master Sergeant Antonio Sears.

"In addition Mr. Speaker, as all of you noticed, the Medal itself is a beautiful recognition of the State of Hawaii's appreciation for our fallen comrades. I wanted to acknowledge Sergeant First Class Aaron Pollick once again, for he was the one that originally designed the medal.

"A lot of other people participated in the medal design and the medal framing and many other things, and I'd like to mention Brady Pilster and Richard Goodman from Symbol Arts who minted the Medal. Kent Untermann and Valerie Wang from Pictures Plus who did the framing. Rose Lee from Rose Lee's Alterations who helped us sew the ribbons. And Ty and Cindy Tamanaha from Awardline who helped us with the plaques.

"In addition Mr. Speaker, we all knew this was going to turn into a much bigger event than we all ever imagined especially after last year. And because of this we worked very closely with the Pearl Harbor Historic Sites, including the USS Bowfin, the USS Missouri, and the USS Arizona. They all came through with support for the families. In addition Mr. Speaker, the Hale Koa Hotel came through, and the Polynesian Cultural Center came through, again. And we worked specifically with the Hawaii Hotel Association who provided excellent, excellent hotel rates for families.

"Many people were asking about the ʻOlelo Broadcast and I wanted to mention again, Mr. Speaker, this year as last year, Capitol TV will be providing a DVD for each family, both present and not present at today's ceremony. In addition, there are additional copies available for anyone in our Chamber who is interested.

"Mr. Speaker, I wanted to recognize the Planning Committee. Many people in this Chamber, as well as the Senate, and a few other individuals really put in the hard work over the past year to make today's event a reality. Senate President Colleen Hanabusa, you Mr. Speaker, Senator Lorraine Inouye, and Representative Cindy Evans, who served as Co-Chairs of our Planning Committee, helped to make today's event a reality. In addition, we got support from Major General Robert Lee and Colonel Retired Emerick Kaneshi, from the Hawaii National Guard.

"We all know as Representatives that much of our success and the things that we do in this Chamber, as well as in our communities, are the direct results of our staff. And I wanted to at this time, acknowledge the staff people who made this all possible. From Senate President Hanabusa's office, Rod Tanonaka and Eric Hamakawa and her other staff members. Richard Rapoza from Senate Communications. Georgette Deemer and Kim Fassler from our House Communications office. From Senator Lorraine Inouye's office, Arlina Agbayani, Trina Ishii and her other staff members. And from Representative Cindy Evan's office, Tommie Suganuma, Micah Young and her other staff members. And from my staff in particular, I wanted to recognize Chrysalis Reyna, Sandra Kim and Marnelli Joy Basilio.

"And finally Mr. Speaker, as I did last year, I saved her for last because she really did a lot of work and without her, we would not have had what we did today. And as I said before, our staff makes us what we are. But more importantly, Lisa Vargas, my office manager made us, the State of Hawaii, and the House of Representatives, the Senate, the entire Legislature, made us all look good. She did the due diligence, and covered all of our bases and contacted all of the service members and those who were deserving of the award.

"This award went and continues to go families with Hawaii ties. So far, as of February 28, a total of 186 medals have been awarded. And I believe we have all the families. So Mr. Speaker, at this time I'd like to ask the Members of our body to once again thank all of the people involved in the planning and preparation of today's activities. And I'd like to ask for a round of applause please.

"Thank you, Mr. Speaker. I'd like to at this point, defer to Representative Cindy Evans who has some other acknowledgements to give."

Representative Evans: "Thank you, Mr. Speaker. I would like to thank this body, the House of Representatives, and the staff. Many of you allowed your staff to help in today's event. I believe there was over 45 staff members coming from the different offices. Mr. Speaker, would it be all right if we submit their names in the Journal for record?

"I think it was exemplary how I think the Sergeant-of-Arms and the National Guard, the ones that volunteered to direct people to the library and how they stood around the Chamber and really took care of the people that were visiting our Capitol today. I think we should thank them and make sure their names are also in the Journal, if that's all right.

"And members, I think just being present and acknowledging them really helped the families deal with their loss and it was a time and a moment for them to reflect and it's so important to deal with loss and grief and they need to move on with their lives. But it's very

appropriate to take a moment and stop and I really want to thank all of you in participating in making this a special event. Thank you."

Representative Evans submitted the following list of people who assisted with the Medal of Honor Ceremony:

Office Staff of Representative Cindy Evans:
Tommie Suganuma, Office Manager
Micah Young, Committee Clerk/Legislative Aide
Kylie Alcos, Receptionist
Bill Kikuchi, Community Relations

Office Staff of Representative Angus L.K. McKelvey:
Leticia "Tish" Acido-Mercado, Office Manager
Alexis Frederick, Committee Clerk

Office Staff of Representative Alex M. Sonson:
Park Kaleiwahea, Office Manager
Shohei Nishimoto, Committee Clerk

Office Staff of Representative Bob Nakasone:
Ann Takaki, Office Manager
Erik Chun, Legislative Aide
Matt Sanemitsu, Committee Clerk

Office Staff of Representative Roland D. Sagum, III:
Amy Maeda, Legislative Aide
Joyce Ohta, Legislative Aide

Office Staff of Representative Jon Riki Karamatsu:
Brandon Lee, Legislative Aide

Office Staff of Representative Faye Hanohano:
Poni Daines, Office Manager
Kaliko Chun, Co-Committee Clerk

Office Staff of Representative Sylvia Luke:
David Judd, Legislative Aide

Office Staff of Representative Sharon E. Har:
Kendall Matsuyoshi, Office Manager
Leland Ribac, Legislative Aide

Office Staff of Representative Lyla B. Berg, Ph.D.:
Jen Wilbur, Office Manager
Liz Labby, Committee Clerk

Office Staff of Representative Josh Green, M.D.:
Alex "Alika" Malabey, Office Manager

Office Staff of Representative Mele Carroll:
Jan Lehner, Office Manager/Committee Clerk
Debra Salboro, Information Resource Specialist

Office Staff of Representative Scott Y. Nishimoto:
Candace Van Buren, Committee Clerk

Office Staff of Representative K. Mark Takai:
Lisa Vargas, Office Manager
Chrysalis Reyna, Legislative Aide
Sandra Kim, Legislative Aide
Marneli Joy Basillo, Legislative Aide

Office Staff of House Speaker Calvin K.Y. Say:
Calvin Azama, Chief of Staff

House Sergeant At Arms Office:
Kevin Kuroda, Sergeant at Arms
Lon Peresa, Assistant Sergeant at Arms

Barbara Leong, Administrative Service Manager

Operations Specialists: Paulette Abe, Ronie Low, Jesse Alvarado

Messengers: Kenneth Lee, Eleneki Benevides, Douglas Arakaki, Paul Reid

Glenn Okamura, Supply Manager

House Chief Clerk's Office:
Patricia Mau Shimizu, Chief Clerk
CJ Leong, Assistant Chief Clerk

House Print Shop: Tammy Tengan, Manager;
Day Crew: Ken Gibo, Alice Sato, Summer Kaleo, Linda Shishido, Amy Say, Elaine Miyamoto, Yoshi Kiyabu, Duke Kuahulu, Roy Higa, Carol Cabebe, Mildred Phillips, Wesley Yoshitake, and Curtis Yoshida

Night Crew: Brad Haida, Lefty Kaalekahi, Mitchell Akamine, Mitchell Osurman, Rosalind Ho, Smiley Riney, Jean Kinoshita, Kathryn Hong, Shirley May Sing, Kay DeMello, Har Ping Pang, Sly Pumares

House Journal: Denise Liu, Journal Clerk

House Majority Staff Office:
Linda Luli Nakasone Oamilda, Director

Analysts: Carl Silva

Legislative Administrative Assistants: Pam McCreadie, Elsielyn Abad

Hawaii National Guard:
Major General Robert G.F. Lee

Hawaii Air National Guardsmen:
Senior Airman Ryan Yung
Master Sergeant Douglas Duhachek
Master Sergeant Marcus Dellasala
Lieutenant Colonel John Traettino
Lieutenant Colonel Mervin Oyafuso

Hawaii Army National Guardsmen:
Staff Sergeant Ferdinand Simon
Staff Sergeant Samuel Hesch
Master Sergeant Aaron Kito-Hong
Lieutenant Colonel Darryl Lindsey

Hawaii State Library:
Jo Ann Schindler, State Librarian
Florence Yee, Director
Marya B. Zoller, Head of Library Operations

Representative Ward: "May I also rise in thanking the progenitor of this, the author of the Resolution and the law of last year, and for those who participated from the Big Island. It gave great honor to those families. It gave great honor to the State. It gave great honor to the country. It should be a very proud day for us. I just think they deserve all the thanks possible. Thank you."

ADJOURNMENT

At 2:53 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Tuesday, April 17, 2007. (Representatives Bertram, Hanohano, Herkes, Karamatsu, McKelvey, Morita, Nishimoto, M. Oshiro, Saiki and Shimabukuro were excused.)

HOUSE COMMUNICATION

"HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HI 96813

April 16, 2007

To the Honorable President and
Members of the Senate
of the State of Hawaii

Dear Madame President and members of the Senate:

Transmitted herewith is said bill that you requested be returned to the Senate on April 12, 2007 pursuant to the reconsideration of its action taken on April 12, 2007.

H.B. NO. 581, H.D. 1
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS.

Respectfully,
/s/
Patricia Mau-Shimizu
Clerk of the House

Approved:
/s/
Calvin K.Y. Say
Speaker of the House"

House Communication dated April 16, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

13, HD 1, SD 1	Takumi/M. Oshiro, Co-Chrs.; Finnegan
14, HD 1, SD 1	Takumi/M. Oshiro, Co-Chrs.; Finnegan
15, HD 2, SD 2	Takumi/Chang/M. Oshiro, Co-Chrs.; Finnegan
17, HD 1, SD 1	Takumi/M. Oshiro, Co-Chrs.; Awana
18, HD 1, SD 2	Takumi/Sonson/Waters, Co-Chrs.; Ching
19, HD 2, SD 2	Takumi/Ito/M. Oshiro, Co-Chrs.; Chong, Finnegan
24, HD 1, SD 2	Takumi/Sonson/M. Oshiro, Co-Chrs.; Finnegan
25, HD 1, SD 1	Takumi/Sonson, Co-Chrs.; Ching
30, HD 2, SD 1	Cabanilla/Yamashita/Tokioka, Co-Chrs.; Thielen
34, SD 2	Sonson/Cabanilla/Nakasone, Co-Chrs.; Ward
55, HD 1, SD 2	Green/Shimabukuro/Lee, Co-Chrs.; Mizuno, Awana
71, HD 2, SD 2	Green/Shimabukuro/McKelvey, Co-Chrs.; Mizuno, Ward
90, HD 2, SD 2	Herkes/Magaoay, Co-Chrs.; Marumoto
92, HD 1, SD 1	Herkes/Magaoay, Co-Chrs.; Marumoto
104, HD 2, SD 2	Shimabukuro/Green/M. Oshiro, Co-Chrs.; Mizuno, Ward
116, HD 2, SD 1	Herkes/Yamashita/Magaoay, Co-Chrs.; Thielen
119, SD 1	Tsuji/Brower, Co-Chrs.; Marumoto
122, HD 1, SD 1	M. Oshiro, Chr.; Lee, Meyer
149, HD 2, SD 2	Evans/Har, Co-Chrs.; Pine
150, HD 2, SD 2	Shimabukuro/Ito/M. Oshiro, Co-Chrs.; Rhoads, Awana
154, HD 1, SD 1	Souki/Waters, Co-Chrs.; Nishimoto, Pine
155, HD 1, SD 2	Souki/Morita/Yamashita/Lee, Co-Chrs.; Pine
162, HD 1, SD 2	Waters/Sonson/Nakasone, Co-Chrs.; Ching
211, HD 1, SD 1	Green/Mizuno, Co-Chrs.; Ward
212, HD 2, SD 2	Green/Sonson/Mizuno, Co-Chrs.; Meyer
226, HD 2, SD 2	Morita/Carroll, Co-Chrs.; Thielen
249, HD 1, SD 2	Ito/Yamane/Chong, Co-Chrs.; Thielen
250, HD 2, SD 2	Ito/Souki/Chong, Co-Chrs.; Meyer
257, HD 1, SD 1	Ito/Tsuji/Shimabukuro/Morita/Chong, Co-Chrs.; Thielen
260, SD 2	Ito/Chong, Co-Chrs.; Thielen
272, HD 1, SD 1	Herkes, Chr.; McKelvey, Marumoto
275, HD 1, SD 2	Chang/Herkes/Tokioka, Co-Chrs.; Ching
277, HD 1, SD 2	Souki/Lee, Co-Chrs.; Meyer
310, HD 2, SD 2	Yamashita/Sagum, Co-Chrs.; Ching
317, HD 2, SD 2	Yamashita/M. Oshiro, Co-Chrs.; Marumoto
325, HD 2, SD 2	Shimabukuro/Rhoads, Co-Chrs.; Awana
334, HD 1, SD 1	Yamashita/Morita/Carroll, Co-Chrs.; Meyer
338, HD 2, SD 1	Yamashita/Sonson/Chang/M. Oshiro, Co-Chrs.; Ward
349, SD 1	Souki/Yamane/Yamashita, Co-Chrs.; Pine
356, HD 2, SD 1	Souki/Waters, Co-Chrs.; Lee, Pine
357, HD 2, SD 1	Souki/Lee, Co-Chrs.; Pine
367, HD 1, SD 3	Green/Chang/Mizuno, Co-Chrs.; Awana
375, HD 1, SD 2	Souki/Waters, Co-Chrs.; Pine
379, HD 1, SD 2	Waters/Har, Co-Chrs.; Meyer
399, HD 1, SD 2	Tsuji/Ito/Brower, Co-Chrs.; Meyer
400, HD 1, SD 2	Tsuji/Brower, Co-Chrs.; Meyer
402, HD 1, SD 2	Ito/Tsuji/Chong, Co-Chrs.; Meyer

436, HD 1, SD 1	Shimabukuro/Green/Lee, Co-Chrs.; Rhoads, Ward
451, HD 1, SD 1	Waters, Chr.; B. Oshiro, Pine
469, HD 1, SD 2	Shimabukuro/Herkes/Waters, Co-Chrs.; Awana
483, HD 1, SD 1	Herkes/Waters/Sagum, Co-Chrs.; Marumoto
487, HD 1, SD 1	Shimabukuro/Rhoads, Co-Chrs.; Awana
497, HD 2, SD 2	Souki/Lee, Co-Chrs.; Meyer
506, HD 1, SD 1	Morita/Carroll, Co-Chrs.; Thielen
507, HD 2, SD 1	Ito/Magaoay/Chong, Co-Chrs.; Thielen
513, SD 1	M. Oshiro, Chr.; Magaoay, Ward
531, HD 3, SD 2	Shimabukuro/Green/Takumi/Rhoads, Co-Chrs.; Mizuno, Ward
567, HD 1, SD 2	Yamane/Ito/Manahan, Co-Chrs.; Ching
575, HD 1, SD 2	Yamane/Evans/Manahan, Co-Chrs.; Finnegan
598, HD 1, SD 1	Takumi/Lee, Co-Chrs.; Berg, Finnegan
600, HD 1, SD 2	Waters/Lee, Co-Chrs.; Finnegan
639, HD 2, SD 1	Morita/Herkes/Yamashita/Carroll, Co-Chrs.; Thielen
652, HD 2, SD 2	Ito/Waters/Chong, Co-Chrs.; Thielen
667, HD 1, SD 2	Shimabukuro/M. Oshiro, Co-Chrs.; Rhoads, Ching
676, HD 1, SD 1	Waters, Chr.; B. Oshiro, Ward
692, HD 2, SD 1	Tsuji/M. Oshiro, Co-Chrs.; Brower, Meyer
714, HD 2, SD 1	Souki/Ito/Waters, Co-Chrs.; Ching
718, SD 2	Ito/Chong, Co-Chrs.; Thielen
751, HD 1, SD 2	Sonson/Nakasone, Co-Chrs.; Pine
760, HD 2, SD 2	Sonson/Yamashita/Nakasone, Co-Chrs.; Pine
767, HD 2, SD 2	Chang/Takumi/Sagum, Co-Chrs.; Ching
776, SD 1	Herkes, Chr.; McKelvey, Marumoto
777, HD 2, SD 2	Chang/Sagum, Co-Chrs.; Ching
791, HD 1, SD 1	Morita/Herkes, Co-Chrs.; McKelvey, Meyer
807, HD 1, SD 2	Green/Shimabukuro/Mizuno, Co-Chrs.; Rhoads, Ward
825, HD 1, SD 2	Green/Shimabukuro/Magaoay/Mizuno, Co-Chrs.; Rhoads, Ward
831, HD 2, SD 1	Evans/Har, Co-Chrs.; Finnegan
833, HD 2, SD 2	Sonson/Shimabukuro/Nakasone, Co-Chrs.; Magaoay, Manahan, Pine
835, HD 2, SD 1	Shimabukuro/Rhoads, Co-Chrs.; Magaoay, Awana
843, HD 2, SD 2	Green/M. Oshiro, Co-Chrs.; Magaoay, Mizuno, Meyer
855, HD 1, SD 1	Sonson/Nakasone, Co-Chrs.; Pine
859, HD 2, SD 2	Sonson/Nakasone, Co-Chrs.; Ward
869, HD 1, SD 2	Morita/Souki/Carroll, Co-Chrs.; Thielen
870, HD 1, SD 1	Morita/Carroll, Co-Chrs.; Thielen
895, HD 2, SD 1	Souki/Har, Co-Chrs.; Meyer
899, HD 1, SD 1	Tsuji/Morita/Brower, Co-Chrs.; Ching
902, HD 2, SD 3	Tsuji/Yamashita/Brower, Co-Chrs.; Chong, Meyer
928, HD 1, SD 2	Shimabukuro/Rhoads, Co-Chrs.; Awana
931, HD 1, SD 1	Souki/Waters, Co-Chrs.; Ching
936, HD 2, SD 1	Yamashita/Herkes, Co-Chrs.; Ching
962, SD 2	Green/Shimabukuro/Mizuno, Co-Chrs.; Ward
964, HD 1, SD 2	Sonson/Green/Waters, Co-Chrs.; B. Oshiro, Marumoto
987, HD 1, SD 2	Waters, Chr.; B. Oshiro, Meyer
1001, HD 2, SD 2	Shimabukuro/M. Oshiro, Co-Chrs.; Rhoads, Tokioka, Awana
1003, HD 3, SD 2	Morita/Chang/Carroll, Co-Chrs.; Thielen
1004, HD 2, SD 1	Herkes/Morita/Waters/Magaoay/Carroll, Co-Chrs.; Marumoto
1005, HD 2, SD 1	Herkes/Morita/M. Oshiro, Co-Chrs.; Marumoto
1008, HD 2, SD 2	Green/Shimabukuro/Mizuno, Co-Chrs.; Ward
1014, HD 2, SD 1	Chang/Takumi/Tokioka, Co-Chrs.; Finnegan
1034, SD 1	M. Oshiro, Chr.; Lee, Ward
1044, HD 1, SD 2	Shimabukuro/Green/Rhoads, Co-Chrs.; Ching
1063, SD 1	Evans/Har, Co-Chrs.; Pine
1083, HD 2, SD 2	Yamashita/Ito/M. Oshiro, Co-Chrs.; Chong, Yamane, Ward
1114, HD 2, SD 2	Tsuji/Brower, Co-Chrs.; Carroll, Meyer
1120, HD 2, SD 1	Green/Shimabukuro/Mizuno, Co-Chrs.; Rhoads, Awana
1130, HD 1, SD 1	Waters, Chr.; B. Oshiro, Marumoto
1133, HD 1, SD 2	Waters/Lee, Co-Chrs.; Thielen
1149, HD 1, SD 1	Waters, Chr.; B. Oshiro, Marumoto
1152, HD 1, SD 2	Waters, Chr.; B. Oshiro, Marumoto
1153, SD 1	Waters, Chr.; B. Oshiro, Marumoto
1155, HD 1, SD 1	Tsuji/Waters, Co-Chrs.; Ching

1171, HD 1, SD 1	Sonson/M. Oshiro, Co-Chrs.; Nakasone, Ward
1200, HD 1, SD 2	Ito/M. Oshiro, Co-Chrs.; Awana
1201, HD 1, SD 1	Ito/Chong, Co-Chrs.; Awana
1207, SD 1	M. Oshiro, Chr.; Lee, Awana
1210, HD 1, SD 1	Waters, Chr.; B. Oshiro, Marumoto
1211, HD 2, SD 2	Waters/Tokioka, Co-Chrs.; Marumoto
1212, HD 2, SD 2	Waters/M. Oshiro, Co-Chrs.; Ward
1220, HD 1, SD 2	Tsuji/Yamashita/Brower, Co-Chrs.; Wakai, Ching
1221, HD 2, SD 2	Tsuji/Brower, Co-Chrs.; Meyer
1227, HD 1, SD 1	M. Oshiro, Chr.; Lee, Ward
1231, HD 2, SD 2	Waters/M. Oshiro, Co-Chrs.; Marumoto
1246, HD 1, SD 1	Waters, Chr.; B. Oshiro, Marumoto
1253, HD 1, SD 1	Waters, Chr.; B. Oshiro, Pine
1256, HD 1, SD 1	Waters/Belatti, Co-Chrs.; Marumoto
1260, HD 1, SD 1	Green/Waters, Co-Chrs.; Mizuno, Awana
1264, SD 1	Shimabukuro, Chr.; Rhoads, Awana
1268, HD 3, SD 2	Takumi/Chang/Yamashita/M. Oshiro, Co-Chrs.; Finnegan
1270, HD 2, SD 2	Yamashita/Magaoay/Waters/M. Oshiro, Co-Chrs.; Marumoto
1277, HD 2, SD 3	Yamashita/Yamane/M. Oshiro, Co-Chrs.; Awana
1283, HD 2, SD 2	Shimabukuro/Ito/Yamashita/Chong, Co-Chrs.; Rhoads, Ward
1289, HD 2, SD 3	Morita/Carroll, Co-Chrs.; Thielen
1291, HD 1, SD 2	Sonson/Nakasone, Co-Chrs.; Meyer
1292, HD 1, SD 2	Sonson/Nakasone, Co-Chrs.; Ward
1306, HD 2, SD 1	Herkes/Waters, Co-Chrs.; Marumoto
1322, SD 1	Herkes/Tokioka, Co-Chrs.; Marumoto
1323, SD 1	Herkes/Tokioka, Co-Chrs.; Marumoto
1334, HD 1, SD 1	Herkes/Lee, Co-Chrs.; Marumoto
1337, HD 1, SD 1	Herkes/Waters, Co-Chrs.; Ching
1338, HD 2, SD 1	Herkes/Tokioka, Co-Chrs.; Awana
1339, HD 1, SD 1	Evans/Herkes, Co-Chrs.; Har, McKelvey, Finnegan
1345, HD 2, SD 3	Evans/Har, Co-Chrs.; Awana
1352, HD 1, SD 2	Yamane/Manahan, Co-Chrs.; Ching
1353, HD 1, SD 1	Ito/Chong, Co-Chrs.; Awana
1356, HD 2, SD 2	Shimabukuro/Rhoads, Co-Chrs.; Hanohano, Awana
1359, HD 1, SD 2	Green/Shimabukuro/Herkes/Mizuno, Co-Chrs.; Ward
1361, HD 1, SD 1	Shimabukuro/Rhoads, Co-Chrs.; Hanohano, Awana
1364, HD 2, SD 1	Shimabukuro/Rhoads, Co-Chrs.; Hanohano, Awana
1368, SD 1	Green/M. Oshiro, Co-Chrs.; Mizuno, Ching
1370, HD 1, SD 1	Green/Mizuno, Co-Chrs.; Awana
1372, HD 1, SD 1	Green/Mizuno, Co-Chrs.; Awana
1379, HD 1, SD 1	Sonson/Nakasone, Co-Chrs.; Pine
1399, SD 1	Evans/Sonson/Har, Co-Chrs.; Finnegan
1403, HD 2, SD 1	Evans/Sonson/Har, Co-Chrs.; Finnegan
1406, HD 1, SD 1	Shimabukuro/Waters, Co-Chrs.; Rhoads, Pine
1411, HD 2, SD 1	M. Oshiro, Chr.; Lee, Ward
1414, HD 1, SD 2	Souki/M. Oshiro, Co-Chrs.; Awana
1435, HD 1, SD 2	Yamane/Manahan, Co-Chrs.; Ching
1440, HD 3, SD 1	Evans/Magaoay/Har, Co-Chrs.; Finnegan
1452, HD 1, SD 1	Morita/Carroll, Co-Chrs.; Thielen
1477, HD 2, SD 2	Green/Chang/Mizuno, Co-Chrs.; Awana
1479, HD 2, SD 2	Green/Yamashita/Herkes, Co-Chrs.; Marumoto
1493, HD 2, SD 1	Sonson/Waters/Nakasone, Co-Chrs.; Pine
1500, HD 2, SD 2	Sonson/Nakasone, Co-Chrs.; Marumoto
1503, HD 1, SD 1	Sonson/Waters, Co-Chrs.; Nakasone, Awana
1516, HD 2, SD 2	Ito/Chong, Co-Chrs.; Magaoay, Thielen
1518, HD 1, SD 2	Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
1529, HD 2, SD 2	Chang/Lee, Co-Chrs.; Bertram, Ching
1567, SD 1	Sonson/M. Oshiro, Co-Chrs.; Ward
1568, SD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1569, SD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1570, SD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1572, SD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1605, HD 1, SD 1	Souki/Carroll, Co-Chrs.; McKelvey, Meyer
1612, SD 1	Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
1614, HD 2, SD 2	Waters/Lee, Co-Chrs.; Pine
1628, HD 1, SD 1	Tsuji/Herkes, Co-Chrs.; Brower, McKelvey, Ching

1630, HD 2, SD 2	Takumi/M. Oshiro, Co-Chrs.; Chong, Sagum, Finnegan
1631, HD 2, SD 2	Yamashita/M. Oshiro, Co-Chrs.; Chong, Sagum, Ward
1639, HD 2, SD 3	Tsuji/Ito/Brower, Co-Chrs.; Chong, Meyer
1641, HD 2, SD 2	Morita/Tsuji/Herkes, Co-Chrs.; Ward
1646, HD 2, SD 1	Morita/Tsuji/Herkes, Co-Chrs.; Ching
1659, HD 2, SD 1	Yamashita/Lee, Co-Chrs.; Awana
1670, HD 2, SD 2	Yamashita/Takumi/Sonson/M. Oshiro, Co-Chrs.; Awana
1719, HD 1, SD 1	Yamane/M. Oshiro, Co-Chrs.; Manahan, Ching
1721, HD 1, SD 2	Green/Waters, Co-Chrs.; Mizuno, Pine
1746, SD 2	Sonson/Nakasone, Co-Chrs.; Ching
1757, HD 1, SD 3	Souki/Waters/Lee, Co-Chrs.; Awana
1764, HD 1, SD 1	Green/Nakasone, Co-Chrs.; Mizuno, Ward
1787, HD 1, SD 2	Morita/Carroll, Co-Chrs.; Thielen
1818, HD 2, SD 1	Sonson/Waters/Nakasone, Co-Chrs.; Meyer
1830, HD 2, SD 2	Shimabukuro/Green/Waters, Co-Chrs.; Marumoto
1833, HD 1, SD 1	Herkes/Waters, Co-Chrs.; McKelvey, Pine
1836, HD 1, SD 2	Waters, Chr.; B. Oshiro, Marumoto
1848, HD 2, SD 2	Ito/M. Oshiro, Co-Chrs.; Chong, Sagum, Thielen
1866, HD 3, SD 2	Yamane/Herkes/Manahan, Co-Chrs.; Ching
1899, HD 2, SD 2	Ito/Chong, Co-Chrs.; Thielen
1902, SD 1	Yamashita/Morita/Lee, Co-Chrs.; Meyer
1909, HD 1, SD 2	Waters/Magaoay, Co-Chrs.; Caldwell, B. Oshiro, Finnegan
1931, SD 1	Yamashita/Hanohano, Co-Chrs.; Ching
1950, HD 1, SD 2	Shimabukuro/Ito, Co-Chrs.; Chong, Awana

House Communication dated April 16, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

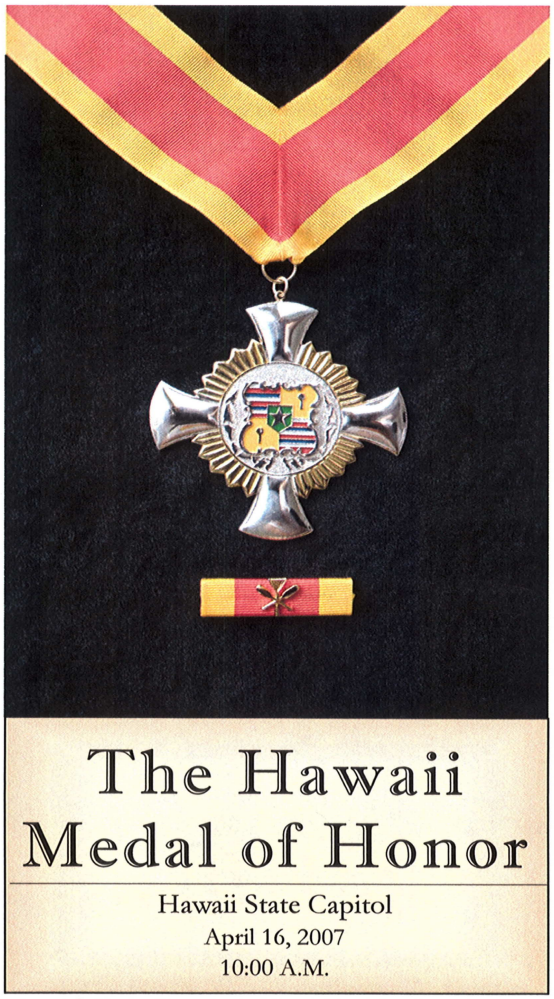
11, SD 3, HD 2	Green/M. Oshiro, Co-Chrs.; Mizuno, Wakai
12, SD 2, HD 2	Green/Herkes/M. Oshiro, Co-Chrs.; Sonson, Marumoto
17, SD 2, HD 2	Yamashita/Waters/Magaoay, Co-Chrs.; Marumoto
46, SD 1, HD 1	Chang/Sonson, Co-Chrs.; Ching
55, SD 1, HD 2	Green/Herkes, Co-Chrs.; McKelvey, Awana
56, SD 1, HD 1	Waters, Chr.; B. Oshiro, Marumoto
58, SD 2, HD 1	Green/Herkes/Waters, Co-Chrs.; McKelvey, Mizuno, Awana
96, SD 3, HD 2	Takumi/Nakasone/Waters/Lee, Co-Chrs.; Marumoto
98, SD 1, HD 1	Takumi/Green/Sonson/Lee, Co-Chrs.; Finnegan
138, SD 1, HD 1	Ito/Chong, Co-Chrs.; Marumoto
139, SD 1, HD 1	Green/Mizuno, Co-Chrs.; Meyer
148, SD 2, HD 1	M. Oshiro, Chr.; Lee, Meyer
156, SD 2, HD 2	Waters/Lee, Co-Chrs.; Hanohano, Thielen
162, SD 1, HD 2	Ito/Chong, Co-Chrs.; Sagum, Ching
170, SD 1, HD 1	Herkes, Chr.; McKelvey, Marumoto
188, SD 2, HD 1	Yamashita/Herkes/Waters, Co-Chrs.; Wakai, Marumoto
228, SD 1, HD 1	Waters, Chr.; B. Oshiro, Pine
323, SD 2, HD 2	Yamashita/M. Oshiro, Co-Chrs.; Wakai, Ward
600, HD 2	Shimabukuro/Herkes/Rhoads, Co-Chrs.; Ward
603, SD 2, HD 2	Takumi/M. Oshiro, Co-Chrs.; Lee, Finnegan
613, SD 2, HD 2	Takumi/Chang/M. Oshiro, Co-Chrs.; Finnegan
618, HD 1	Takumi/Evans, Co-Chrs.; Har, Finnegan
620, SD 1, HD 1	Takumi/Lee, Co-Chrs.; Ward
662, SD 2, HD 2	Tsuji/Brower, Co-Chrs.; Chong, Meyer
667, SD 3, HD 2	Green/Herkes, Co-Chrs.; McKelvey, Ward
678, SD 1, HD 1	Yamane/Manahan, Co-Chrs.; Ching
679, SD 2, HD 2	Yamane/Evans/Herkes/Har, Co-Chrs.; Marumoto
686, SD 1, HD 1	Takumi/Sonson/Lee, Co-Chrs.; Ching
688, SD 2, HD 1	Chang/Takumi/Lee, Co-Chrs.; Finnegan
707, SD 2, HD 2	Yamashita/M. Oshiro, Co-Chrs.; Chong, Tokioka, Marumoto
709, SD 2, HD 1	Yamashita/Chong, Co-Chrs.; Tokioka, Ward
750, SD 3, HD 2	Yamane/Yamashita/M. Oshiro, Co-Chrs.; Chong, Ching
755, SD 1, HD 1	Waters, Chr.; B. Oshiro, Pine
784, SD 1, HD 2	Souki/Waters, Co-Chrs.; Nishimoto, Pine
795, SD 2, HD 1	Herkes/Sagum, Co-Chrs.; Tokioka, Marumoto
796, SD 2, HD 2	Evans/Har, Co-Chrs.; Pine
798, SD 3, HD 2	Evans/Har, Co-Chrs.; Pine

810, SD 2, HD 1	Green/M. Oshiro, Co-Chrs.; Awana
837, SD 2, HD 2	Tsuji/Chong, Co-Chrs.; Brower, Yamane, Ching
840, HD 1	Ito/Hanohano, Co-Chrs.; Thielen
866, SD 1, HD 1	Yamane, Chr.; Manahan, Ching
870, SD 1, HD 2	Ito/Chong, Co-Chrs.; Carroll, Hanohano, Awana
871, SD 2, HD 2	Takumi/Carroll/Lee, Co-Chrs.; Thielen
880, SD 2, HD 2	Yamane/Manahan, Co-Chrs.; Ching
885, SD 2, HD 3	Takumi/Tsuji/Yamashita/Brower, Co-Chrs.; Ching
896, SD 1, HD 2	Yamashita/Ito/M. Oshiro, Co-Chrs.; Ward
898, SD 1, HD 2	Yamashita/M. Oshiro, Co-Chrs.; Chong, Yamane, Ching
907, SD 2, HD 2	Yamashita/Sagum, Co-Chrs.; Tokioka, Ward
914, SD 2, HD 1	Evans/Har, Co-Chrs.; Ching
917, SD 1, HD 2	Evans/Har, Co-Chrs.; Finnegan
920, SD 1, HD 1	Herkes, Chr.; McKelvey, Marumoto
921, SD 1, HD 1	Herkes, Chr.; McKelvey, Marumoto
932, SD 2, HD 2	Evans/Sonson/Har, Co-Chrs.; Finnegan
946, SD 2, HD 1	Souki/Waters, Co-Chrs.; Nishimoto, Marumoto
973, SD 2, HD 2	Green/Shimabukuro/Mizuno, Co-Chrs.; Rhoads, Awana
987, SD 1, HD 2	Morita/Ito, Co-Chrs.; Carroll, Chong, Thielen
990, SD 2, HD 3	Morita/Herkes/Carroll, Co-Chrs.; McKelvey, Thielen
992, SD 1, HD 2	Morita/Yamashita/Carroll, Co-Chrs.; Wakai, Thielen
994, SD 1, HD 1	Morita/Yamashita/Carroll, Co-Chrs.; Thielen
1008, SD 1, HD 2	Herkes/Lee, Co-Chrs.; Marumoto
1011, SD 1, HD 1	Herkes, Chr.; McKelvey, Marumoto
1017, HD 1	Shimabukuro/Rhoads, Co-Chrs.; Awana
1026, SD 2, HD 3	Morita/Yamashita/Chong, Co-Chrs.; Carroll, Yamane, Ching
1034, SD 2, HD 1	Yamashita/Souki/M. Oshiro, Co-Chrs.; Pine
1047, HD 2	Souki/Waters, Co-Chrs.; Nishimoto, Pine
1060, SD 1, HD 2	Sonson/Souki/Nakasone, Co-Chrs.; Awana
1066, SD 2, HD 2	Tsuji/Morita/Souki/M. Oshiro, Co-Chrs.; Brower, Ching
1068, SD 1, HD 1	Waters/M. Oshiro, Co-Chrs.; Lee, B. Oshiro, Pine
1093, SD 2, HD 1	Ito/M. Oshiro, Co-Chrs.; Carroll, Chong, Sagum, Thielen
1113, SD 1, HD 2	Waters/Lee, Co-Chrs.; Pine
1115, SD 2, HD 1	Green/Shimabukuro/Lee, Co-Chrs.; Awana
1133, SD 3, HD 1	Souki/Yamashita/McKelvey/M. Oshiro, Co-Chrs.; Meyer
1154, SD 2, HD 2	Chang/Tokioka, Co-Chrs.; Ching
1161, SD 1, HD 1	Shimabukuro/Waters, Co-Chrs.; Awana
1170, SD 1, HD 1	Green/Shimabukuro/Mizuno, Co-Chrs.; Ching
1174, SD 1, HD 1	Evans/Har, Co-Chrs.; Finnegan
1177, SD 2, HD 1	Chang/Cabanilla/Lee, Co-Chrs.; Ward
1182, SD 2, HD 1	Green/Shimabukuro/Mizuno, Co-Chrs.; Rhoads, Awana
1184, SD 2, HD 3	Shimabukuro/Waters/Rhoads, Co-Chrs.; Ward
1191, SD 2, HD 2	Souki/Lee, Co-Chrs.; Nishimoto, Pine
1221, SD 2, HD 2	Tsuji/Yamashita/Chong, Co-Chrs.; Brower, Ching
1222, SD 3, HD 2	Morita/M. Oshiro, Co-Chrs.; Carroll, Chong, Thielen
1228, SD 1, HD 1	Yamane/Manahan, Co-Chrs.; Ching
1229, SD 2, HD 1	Waters, Chr.; B. Oshiro, Pine
1236, SD 1, HD 1	Ito/Tsuji, Co-Chrs.; Chong, Meyer
1282, SD 2, HD 1	Green/Lee, Co-Chrs.; Mizuno, Ward
1284, SD 2, HD 2	Sonson/Nakasone, Co-Chrs.; Meyer
1315, SD 2, HD 1	Yamashita/Sagum, Co-Chrs.; Ward
1352, SD 2, HD 2	Shimabukuro/Rhoads, Co-Chrs.; Awana
1365, SD 2, HD 3	Yamashita/Chang/Sonson/M. Oshiro, Co-Chrs.; Ward
1372, SD 1, HD 1	M. Oshiro, Chr.; Lee, Meyer
1382, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1383, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1384, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1386, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1387, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1388, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1391, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Meyer
1400, SD 2, HD 3	Shimabukuro/Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
1402, SD 1, HD 1	Herkes/Lee, Co-Chrs.; McKelvey, Marumoto
1410, SD 1, HD 1	Herkes, Chr.; McKelvey, Yamane, Marumoto

1412, SD 2, HD 2	Waters/Herkes/Nakasone, Co-Chrs.; Yamane, Pine
1425, SD 2, HD 1	Evans/Herkes, Co-Chrs.; Yamane, Awana
1447, SD 2, HD 2	Shimabukuro/Nakasone, Co-Chrs.; Rhoads, Tokioka, Awana
1457, SD 2, HD 2	Green/Mizuno, Co-Chrs.; Ward
1499, SD 2, HD 1	Waters/Chong, Co-Chrs.; Pine
1500, SD 3, HD 1	Souki/M. Oshiro, Co-Chrs.; Lee, Marumoto
1504, SD 2, HD 1	M. Oshiro, Chr.; Hanohano, Lee, Ward
1515, SD 2, HD 2	Souki/Waters/M. Oshiro, Co-Chrs.; Pine
1528, HD 1	Souki/Waters, Co-Chrs.; Meyer
1529, SD 2, HD 2	Souki/Waters, Co-Chrs.; Pine
1603, SD 2, HD 2	Ito/Waters, Co-Chrs.; Thielen
1612, SD 2, HD 2	Morita/Carroll, Co-Chrs.; Thielen
1614, SD 1, HD 1	Takumi/Lee, Co-Chrs.; Hanohano, Awana
1636, SD 2, HD 3	Green/Sonson/Waters, Co-Chrs.; B. Oshiro, Meyer
1654, SD 1, HD 1	Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
1672, SD 2, HD 3	Shimabukuro/Green/Waters/M. Oshiro, Co-Chrs.; Ward
1674, SD 1, HD 2	Green/Herkes, Co-Chrs.; Ward
1675, SD 1, HD 1	Green/Waters, Co-Chrs.; Ward
1676, SD 2, HD 1	Green/Herkes, Co-Chrs.; McKelvey, Marumoto
1704, SD 1, HD 1	Herkes, Chr.; McKelvey, Marumoto
1709, SD 1, HD 2	Souki/Waters, Co-Chrs.; Ching
1718, HD 2	Morita/M. Oshiro, Co-Chrs.; Chong, Ward
1750, SD 1, HD 1	Green, Chr.; Mizuno, Ching
1756, SD 1, HD 2	Ito/Tsuji/Chong, Co-Chrs.; Sagum, Marumoto
1779, HD 3	Shimabukuro/Waters/Rhoads, Co-Chrs.; Pine
1803, SD 1, HD 1	Green/Herkes/Yamashita, Co-Chrs.; Mizuno, Souki, Ward
1804, SD 2, HD 2	Green/Souki/Waters/M. Oshiro, Co-Chrs.; Mizuno, Pine
1820, SD 1, HD 2	Takumi/M. Oshiro, Co-Chrs.; Nakasone, Finnegan
1823, SD 1, HD 2	Yamane/Manahan, Co-Chrs.; Hanohano, Ching
1833, SD 1, HD 1	Sonson/Nakasone, Co-Chrs.; Ward
1839, SD 2, HD 1	M. Oshiro, Chr.; Lee, Ward
1853, SD 2, HD 2	Ito/Carroll, Co-Chrs.; Chong, Hanohano, Awana
1882, SD 2, HD 1	M. Oshiro, Chr.; Chong, Lee, Meyer
1916, SD 2, HD 3	Green/Shimabukuro/Magaoay, Lee, Co-Chrs.; Ching
1917, SD 3, HD 2	Shimabukuro/Ito/M. Oshiro, Co-Chrs.; Rhoads, Awana
1918, SD 2, HD 2	Green/Shimabukuro/M. Oshiro, Co-Chrs.; Mizuno, Rhoads, Ward
1919, SD 2, HD 2	Shimabukuro/M. Oshiro, Co-Chrs.; Rhoads, Ward
1920, SD 2, HD 2	Yamane/Yamashita/M. Oshiro, Co-Chrs.; Chong, Ching
1922, SD 2, HD 1	Chang/Yamashita/Yamane/M. Oshiro, Co-Chrs.; Chong, Ching
1923, SD 2, HD 2	Ito/Chong, Co-Chrs.; Sagum, Tokioka, Awana
1924, SD 2, HD 2	Ito/Chong, Co-Chrs.; Sagum, Tokioka, Awana
1928, SD 2, HD 3	Magaoay/Waters/Yamashita/Ito, Co-Chrs.; Chong, Finnegan
1929, SD 2, HD 2	Yamashita/Waters/Magaoay, Co-Chrs.; Ching
1931, SD 2, HD 3	Takumi/Chang/Sonson/Yamashita/M. Oshiro, Co-Chrs.; Finnegan
1932, SD 2, HD 1	Takumi/Chang/Shimabukuro/M. Oshiro, Co-Chrs.; Finnegan
1943, SD 2, HD 2	Ito/Morita/Tsuji, Co-Chrs.; Meyer
1946, SD 2, HD 2	Ito/Waters/Sagum/Tokioka, Co-Chrs.; Thielen
1947, SD 1, HD 1	Morita/Carroll, Co-Chrs.; Meyer
1950, SD 2, HD 2	Sonson/Nakasone, Co-Chrs.; Meyer
1954, SD 1, HD 1	Waters, Chr.; B. Oshiro, Pine
1957, SD 1, HD 1	Waters, Chr.; B. Oshiro, Marumoto
1988, SD 1, HD 2	Tsuji/Herkes, Co-Chrs.; Ching

House Communication dated April 16, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day, agreed to the amendments and passed the following House Bills on Final Reading:

H.B. No. 389, HD 1, SD 1
H.B. No. 854, HD 1, SD 1
H.B. No. 861, HD 1, SD 1
H.B. No. 910, HD 1, SD 1
H.B. No. 1018, HD 2, SD 2
H.B. No. 1103, SD 1
H.B. No. 1248, HD 1, SD 1
H.B. No. 1328, HD 2, SD 2
H.B. No. 1336, SD 1
H.B. No. 1513, HD 1, SD 1
H.B. No. 1750, HD 2, SD 1



JOINT SESSION OF
THE HAWAII STATE LEGISLATURE
TWENTY-FOURTH LEGISLATURE
SENATE CHAMBER
APRIL 16, 2007
10:00A.M.

Call to Order	Senate President Colleen Hanabusa
Posting of the Colors	Joint Service Color Guard
	Hawaii Air National Guard Royal Guard
National Anthem and Hawaii Pono`i	Reverend and Mrs. Randall Hongo Christian Vision
Invocation	Mr. Raymond Ganotise
Welcome and Introduction of Guests	Senate President Colleen Hanabusa
Military Address	Major General Robert G.F. Lee
Medal of Honor Presentation	Senate President Colleen Hanabusa House Speaker Calvin K.Y. Say Major General Robert G. F. Lee
Presentation of Certificates	Senator Lorraine R. Inouye
	Representative Cindy Evans
Rendering of Honors	United States Navy
Reading of Names	House Chief Clerk Patricia Mau-Shimizu
	Senate Chief Clerk Carol Taniguchi
21-Gun Salute/Taps	United States Air Force
Closing Remarks	House Speaker Calvin K. Y. Say
Retiring of the Colors	

From House Bill 8, designated as Act 21, Session Laws of Hawaii of 2005:

"The purpose of this Act is to provide for a Hawaii Medal of Honor that would help express the deep appreciation and gratitude of the People of Hawaii to the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedoms."

SYMBOLISM OF THE HAWAII MEDAL OF HONOR

The Hawaii Medal of Honor was designed by Sergeant First Class Aaron Pollick from the Hawaii Army National Guard. This medal consists of the following six components, superimposed on each other:

Circle of Kalo Leaves: The kalo leaves represent the family or Ohana. The leaves are designed in an encircled fashion and represent the concept of Ohana, which we strive to embrace.

Coat of Arms: The Great Shield is the keystone of the design. The eight bars represent the eight major islands of the state of Hawaii. The kapu sticks, or Pulo'ulo'u, symbolize authority and protection. The star in the center of the medallion is the Star of Hawaii, the 50th star on the flag of the United States. This star also represents the honorees of this prestigious award.

Maltese Cross: The Maltese Cross represents the four directional axes of the globe, denoting Hawaii as the Crossroads of the Pacific.

Sun Rays: The irradiant sun is symbolic of the new era. Its position in the center of the Maltese Cross represents our sunny shores and warm hearts ever shining on all the corners of the world.

The Neck Drape: The neck drape is red and golden yellow in color. These colors symbolize the royal monarchy that once ruled these islands. The red represents courage and strength. The golden yellow depicts the honor that the recipients have brought to our islands.

Service Ribbon & Attachment: The service ribbon represents distinguished service. Its colors are identical to the colors of the neck drape. The attachment device at the middle of the ribbon is an ancient flag or puela of Hawaiian Chiefs. In olden times, the puela was raised above the sail of the ancient Hawaiians' canoes while at sea. Our puela signifies that the person receiving this medal is of high rank or honor.

HAWAII MEDAL OF HONOR RECIPIENTS

Pursuant to Act 21, Session Laws of Hawaii of 2005, the following service members were enrolled as recipients of the Hawaii Medal of Honor.
They are listed by date of death from March 29, 2003 to February 28, 2007.

United States Marine Corps First Lieutenant Dustin M. Shumney*
United States Marine Corps Lance Corporal Richard A. Perez, Jr.
United States Marine Corps Lance Corporal Kristen K. Figueroa Marino
United States Marine Corps Lance Corporal Nicholas R. Anderson
United States Marine Corps Corporal Andres Aguilar, Jr.
United State Army Private First Class Joseph I. Love
United States Marine Corps Staff Sergeant Jason C. Ramseyer
United States Marine Corps Corporal Eric R. Lueken
United States Army Staff Sergeant Metodio A. Bandonill
United States Marine Corps Staff Sergeant Edward G. Davis III
United States Marine Corps Corporal Brandon M. Hardy
United States Marine Corps Sergeant Lea R. Mills
United States Army Sergeant Steve M. Sakoda
United States Marine Corps Lance Corporal Adam C. Conboy
United States Marine Corps Lance Corporal Hatak Yuka Keyu M. Yearby
United States Marine Corps Lance Corporal Jose S. MarinDominguez, Jr.
United States Marine Corps Sergeant David R. Christoff, Jr.
United States Marine Corps Lance Corporal William J. Leusink
United States Marine Corps Corporal Michael A. Estrella
United States Army Staff Sergeant Jeffrey S. Loa
United States Army Corporal Jeremy R. Shank
United States Army Sergeant First Class Michael T. Fuga
United States Marine Corps Lance Corporal Ryan A. Miller
United States Marine Corps Corporal Yull Estrada Rodriguez
United States Army Sergeant Velton Locklear III
United States Army Private First Class Kenneth E. Kincaid IV
United States Marine Corps Private First Class Christopher T. Riviere
United States Marine Corps Lance Corporal James Chamroeun
United States Army Corporal Michael K. Oremus
United States Army Staff Sergeant Daniel Isshak
United States Marine Corps Lance Corporal Derek W. Jones
United States Marine Corps Lance Corporal Jeremy S. Sandvick Monroe
United States Army Captain Shane T. Adcock
United States Army Private First Class Kenny F. Stanton, Jr.
United States Army First Lieutenant Joshua Deese
United States Army Sergeant Jonathan E. Lootens
United States Marine Corps First Lieutenant Joshua L. Booth
United States Marine Corps Private Edwardo J. Lopez
United States Marine Corps Lance Corporal Daniel B. Chaires
United States Marine Corps Lance Corporal Donald S. Brown
United States Army Staff Sergeant Richwell A. Doria
United States Marine Corps Lance Corporal Timothy W. Brown
United States Marine Corps Lance Corporal Mario D. Gonzalez
United States Marine Corps Lance Corporal Michael D. Scholl
United States Marine Corps Lance Corporal James R. Davenport
United States Marine Corps Private First Class Heath D. Warner
United States Marine Corps Lance Corporal Joshua C. Alonzo
United States Marine Corps Corporal Jeromy D. West
United States Army Sergeant Keith E. Fiscus
United States Marine Corps Lieutenant Colonel Joseph T. McCloud
United States Marine Corps Corporal Joshua C. Sticklen
United States Marine Corps Major Megan Malia-Leilani McClung
United States Army Private First Class Travis C. Krege
United States Army Sergeant Jesse J.J. Castro
United States Army Corporal Jason I. Huffman
United States Army Corporal Yari Mokri
United States Army Sergeant Joshua B. Madden
United States Marine Corps Lance Corporal Matthew W. Clark
United States Army Staff Sergeant Henry K. Kahalewai, Jr.
United States Marine Corps Lance Corporal Stephen L. Morris
United States Army Corporal Toby R. Olsen
United States Marine Corps Gunnery Sergeant Terry J. Elliott
United States Navy Hospitalman Matthew G. Conte
United States Army Corporal Kenneth T. Butler
United States Army Corporal David C. Armstrong
United States Marine Corps Lance Corporal Daniel T. Morris
United States Marine Corps Lance Corporal Anthony L. Aguirre

*Lieutenant Shumney was awarded the HMOH in 2006; however, his family will be receiving the award at this year's ceremony.

ACKNOWLEDGEMENTS

Carol Taniguchi, Senate Chief Clerk & her staff
Patricia A. Mau-Shimizu, House Chief Clerk & her staff
Ben Villaflor, Senate Sergeant-at-Arms & his staff
Kevin R. Kuroda, House Sergeant-at-Arms & his staff
Linda Luli Nakasone Oamilda, House Majority Staff Office & her staff
Dennis Fujii, U.S. Pacific Command
Mark Van Doorne, U.S. Army
Captain Mark D. Nicholson, U.S. Marine Corps
Master Sergeant Antonio M. Sears, U.S. Marine Corps
Sergeant First Class Aaron R. Pollick
Chaplain Colonel Peter Y. Lee
Hawaii Air National Guard
Hawaii Army National Guard
Florence Yee, Hawaii State Library
Annie Yu and Alice Yueng, Panya Group
Dennis Young, Tents Hawaii, Inc. by Omar the Tent Man
Kent Untermann & Valerie Wang, Pictures Plus
Rose Lee, Rose Lee's Alterations
Ty & Cindy Tamanaha, Awardline
Brady Pilster & Richard Goodman, Symbol Arts
Pearl Harbor Historic Sites
Hale Koa Hotel
Polynesian Cultural Center
Hawaii Restaurant Association
Hawaii Hotel Association
Hawaii Tourism Association
Aloha Diners Club
Xerox Corporation

Planning Committee:

Senate President Colleen Hanabusa	Richard Rapoza
Senator Lorraine R. Inouye	Rod Tanonaka
House Speaker Calvin K.Y. Say	Eric Hamakawa
Representative Cindy Evans	Arlina Agbayani
Major General Robert G.F. Lee	Trina Ishii
Brigadier General Gary Ishikawa	Tommie Suganuma
Colonel (ret.) Emerick K. Kaneshi	Micah Young

Special Acknowledgement:
Representative K. Mark Takai, and his Office Manager, Lisa Vargas, for their work to locate and work with the honored families, and their tireless efforts to prepare for this special legislative event.

Other Acknowledgements

Invocation:
Mr. Raymond Ganotise

Singers:
Reverend Randall Hongo
Mrs. Gay Hongo
Andrew Hongo
(all from Christian Vision)

Lunch Prayer:
Chaplain Colonel Peter Lee

Joint Service Color Guard:
SFC David Talamantes Jr.
SSG Serena Pickett
SSG Tomika Earven
SSG Larry Moreno
CPL David Oliver
YN1 Selena Aponte
TSgt Heather Henry
PO John Ridgeway
TSgt Vanessa Soto
LCPL Zachary Dalling

US Air Force Base Honor Guard Firing Detail:
A1C Stephen Shiveley
A1C Daniel Barnett
SrA Nathan Angel
SSgt Isidro Tabion
A1C Timothy Fox
SrA Mark McMahon
A1C Michael Jones
A1C Mark Scott
TSgt Dodie Pagaoa

Bugler:
MSgt David Jenkins

Bell Ringer:
BU2 Hirohito Fainza

FIFTIETH DAY

Tuesday, April 17, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered in song by Mr. Roberto Santos, after which the Roll was called showing all members present with the exception of Representatives Hanohano and Sagum, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 329 through 331) were received and announced by the Clerk:

Gov. Msg. No. 329, informing the House that on April 13, 2007, the following bill became law without her signature, pursuant to Section 16 of Article III of the State Constitution:

H.B. No. 1081, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS." (ACT 016)

"EXECUTIVE CHAMBERS
HONOLULU
April 14, 2007

The Honorable Calvin K.Y. Say, Speaker
and Members of the House of Representatives
Twenty-Fourth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1081

On April 13, 2007, House Bill No. 1081, entitled "A Bill for an Act Relating to Public Works" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

This bill allows a joint labor-management committee established under the federal Labor Management Cooperation Act of 1978 to file a lawsuit against an employer who fails to pay the prevailing wage required by chapter 104, Hawaii Revised Statutes. This is Hawaii's law on Wages and Hours of Employees on Public Works. It covers laborers and mechanics working on a governmental construction project.

The Department of Labor and Industrial Relations currently conducts both complaint-generated and random routine investigations of public works projects for compliance with chapter 104. In addition, the Department's improved educational and outreach programs have decreased the number of violations. Thus, there is no demonstratable need for the enforcement of chapter 104 by labor-management committees. Lawsuits against certain contractors may delay existing public works projects and deter contractors from bidding on such projects, increasing potential costs to governmental contracting agencies and the taxpayers of the State.

Joint labor-management committees were created under the federal Labor Management Cooperation Act of 1978 to negotiate and resolve disputes between labor and management. This is a legitimate and important role for them to play. It is not wise to turn these committees into enforcement vehicles. This turns over to an outside party functions handled by the State under chapter 104, Hawaii Revised Statutes, and may adversely impact the Department of Labor and Industrial Relations' ability to control the proper enforcement of State statutes.

For the foregoing reasons, I allowed House Bill No. 1081 to become law as Act 16 effective April 13, 2007 without my signature.

Sincerely,
/s/
LINDA LINGLE"

Gov. Msg. No. 330, informing the House that on April 16, 2007, the following bill was signed into law:

H.B. No. 1377, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION." (ACT 17)

Gov. Msg. No. 331, informing the House that on April 16, 2007, the following bill was signed into law:

S.B. No. 1006, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS." (ACT 018)

The following message from the Governor (Gov. Msg. No. 332) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 332, transmitting H.B. No. 1672, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 16, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1672

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1672, entitled "A Bill for an Act Relating to Legislative Service Agencies."

This bill increases the maximum salary of the Deputy Auditor, the First Assistant to the Ombudsman, and the First Assistant to the Director of the Legislative Reference Bureau (LRB) from 87% to 92% of the pay of the Directors of these three organizations.

This will raise the maximum salary of the Deputy Auditor, the First Assistant to the Ombudsman, and the First Assistant to the Director of the Legislative Reference Bureau from $90,514 to $97,631 on July 1, 2007. This is the second significant pay increase for legislative attached agency personnel in two years.

This bill is objectionable because it increases the inequity in compensation levels for these three legislative agencies as compared to other positions in State government.

Under this bill, the Legislative Branch second-in-command positions will be allowed to earn more than the Directors of the Department of Hawaiian Home Lands (DHHL), the Department of Public Safety (PSD), the Department of Human Resources Development (DHRD), and the Chairperson of the Department of Agriculture (DOA). These Directors are responsible for millions of

dollars of public funds; hundreds and, in some cases, thousands of employees spread across the State; the stewardship for hundreds of thousands of acres of land held in trust for the native Hawaiian people; the survival of our agricultural sector; and the management of our prison system, which includes multiple facilities on four islands. Yet they are compensated less than a First Assistant in the Ombudsman's Office that supervises eight investigators, a First Assistant in the Legislative Reference Bureau that supervises nine individuals, and the Deputy Auditor responsible for fifteen personnel.

If the 2007 recommendations of the Commission on Salaries are adopted, this bill will raise the maximum salary of the Deputy Auditor, the First Assistant to the Ombudsman, and the First Assistant to the Director of the Legislative Reference Bureau (LRB) from $90,514 to $100,508 on July 1, 2007. The four Directors listed above would earn several thousand dollars less.

It should also be pointed out that a number of key positions in the Executive Branch with significant managerial and public policy responsibilities have not had compensation adjustments that allow the Administration to attract and retain personnel. These include, but are not limited to, the Public Utilities Commissioners ($77,390), Executive Director of the Hawaii Public Housing Authority ($79,590), Executive Director of the Hawaii Housing Finance and Development Corporation ($79,590), and the Vice Director of Civil Defense ($81,463). A full list of these positions is attached to this Statement of Objections.

These positions have significant responsibilities, such as managing almost 6,000 public housing units, coordinating statewide responses to natural disasters, and setting tariffs and rates in complex utility cases.

This Administration introduced bills this year, House Bill No. 1367 and Senate Bill No. 1453, to de-link the salary levels for Executive Branch senior staff members who were adversely affected by Act 226 SLH 2005. Despite the inequity that existed prior to this legislative session due to Acts 226 and Acts 225 of 2005, the Legislature failed to pass the Administration's proposal that would have brought parity in pay for Executive Branch employees and recognized the importance of treating all State employees fairly and equitably.

For the foregoing reasons, I am returning House Bill No. 1672 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

EXECUTIVE BRANCH POSITIONS THAT ARE "LINKED" TO THE PAY OF EXECUTIVE DEPARTMENT HEADS, BUT THAT THE LEGISLATURE REFUSED TO DE-LINK SO THAT THESE POSITIONS MAY BE COMPENSATED MORE FAIRLY.
(2007 Legislature's Rejection of Administration-sponsored proposals,
H.B. No. 1367/S.B. No. 1453 to increase Salaries of Key Executive Branch Positions)

HRS	Dept	Title	Current Salary (2006)	Act 226 2005	Maximum Salary
§109-2	AGS	Stadium Manager	$81,463.32	X	Not to Exceed 87% DHRD Director's Salary
§109-2	AGS	Deputy Stadium Manager	$69,243.82	X	Not to Exceed 85% Stadium Manager's Salary
§128-3	DEF	Vice-Director of Civil Defense	$81,463.32	X	Not to Exceed 87% DHRD Director's Salary
§269-2(b)	BUF	PUC Commission Chair	$81,463.32	X	Not to Exceed 87% DHRD Director's Salary
§269-2(b)	BUF	Commissioner, PUC	$77,390.15	X	Not to Exceed 95% of PUC Chair's Salary
§269-2(b)	BUF	Commissioner, PUC	$77,390.15	X	Not to Exceed 95% of PUC Chair's Salary
§349-2(b)	HTH	Director (EOA)	$64,608.84	X	Not to Exceed 69% DHRD Director's Salary
§363-2(b)	DEF	Director, Office Of Veteran's Svcs.	$64,608.84	X	Not to Exceed 69% DHRD Director's Salary
§353-63	PSD	Chairman, HPA	$81,463.32	X	Not to Exceed 87% PSD Director's Salary
§371-4(a)	LBR	Chairperson, LIRAB	$85,989.06	X	Not to Exceed 87% of DLIR's Director's Salary
§371-4(a)	LBR	Member Appeals Board, LIRAB	$81,689.61	X	Not to Exceed 95% of LIRAB's Salary
§371-4(a)	LBR	Member Appeals Board, LIRAB	$81,689.61	X	Not to Exceed 95% of LIRAB's Salary
§412:2-100(b)	CCA	Commissioner Fin Institutions	$95,716.80	X	Not to Exceed 100% of the DCCA's Deputy Director's salary
§89-5(d)	LBR	Chairman/member (HLRB)	$85,989.06	X	Not to Exceed 87% of the DLIR Director's Salary
§89-5(d)	LBR	Member (HLRB)	$81,689.61	X	Not to Exceed 95% of the HLRB Chair's Salary
§89-5(d)	LBR	Member (HLRB)	$81,689.61	X	Not to Exceed 95% of the HLRB Chair's Salary
§431:2-103	CCA	Insurance Commissioner	$90,931.00		Not to Exceed the salary of the DCCA 1st Deputy Director

EXECUTIVE BRANCH POSITIONS THAT ARE "LINKED" TO THE PAY OF EXECUTIVE DEPARTMENT HEADS, BUT THAT THE LEGISLATURE REFUSED TO DE-LINK SO THAT THESE POSITIONS MAY BE COMPENSATED MORE FAIRLY.
(2007 Legislature's Rejection of Administration-sponsored proposals,
H.B. No. 1367/S.B. No. 1453 to increase Salaries of Key Executive Branch Positions)

§431:19-101.6	CCA	Captive Insurance Admr	$79,776.00		Not to exceed 95% of the Insurance Commissioner's salary
§371K-2(b)	LBR	Exec. Director, Office-Community Services	$85,989.06		Not to exceed level of 2nd Deputy Director level
§201H-2(b)	BED	HHFDC Executive Director	$79,590.00		Not to Exceed 85% of DHRD Director's salary
§201H-2(b)	BED	HHFDC Executive Assistant	$71,631.60		Not to Exceed 90% of HHFDC Executive Director Salary
§356D-2(b)	HMS	Executive Director, HPHA	$79,590.00		Not to Exceed 85% of DHRD Director's salary
§356D-2(b)	HMS	Executive Assistant, HPHA	$71,631.60		Not to Exceed 90% of HPHA Executive Director's Salary

The following message from the Governor (Gov. Msg. No. 333) was received and announced by the Clerk:

Gov. Msg. No. 333, dated April 16, 2007, transmitting the Department of Human Services' Report as required by Act 178, Section 162, SLH 2005 for the 2nd quarter of FY 07.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 827 through 829) were received and announced by the Clerk:

Sen. Com. No. 827, dated April 16, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

90, H.D. 2, S.D. 2 Taniguchi, Chair; Baker, Co-Chair; Slom

116, H.D. 2, S.D. 1 Taniguchi, Chair; Fukunaga, Co-Chair; Slom

226, H.D. 2, S.D. 2 Menor, Chair; Baker, Co-Chair; Hooser, Trimble

249, H.D. 1, S.D. 2 Nishihara, Chair; Tokuda/Tsutsui, Co-Chairs; Kim, Trimble

250, H.D. 2, S.D. 2 Kokubun, Chair; English/Baker, Co-Chairs; Fukunaga, Slom

257, H.D. 1, S.D. 1 Kokubun, Chair; Hee, Tokuda, Slom

260, S.D. 2 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

275, H.D. 1, S.D. 2 Taniguchi, Chair; Hee, Co-Chair; Slom

334, H.D. 1, S.D. 1 Menor, Chair; Tsutsui, Co-Chair; Hooser, Trimble

367, H.D. 1, S.D. 3 Ige, Chair; Sakamoto/Taniguchi/Baker, Co-Chairs; Slom

399, H.D. 1, S.D. 2 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

400, H.D. 1, S.D. 2 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

402, H.D. 1, S.D. 2 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

506, H.D. 1, S.D. 1 Menor, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Trimble

507, H.D. 2, S.D. 1 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

639, H.D. 2, S.D. 1 Menor, Chair; Hooser, Trimble

652, H.D. 2, S.D. 2 Kokubun, Chair; Baker, Co-Chair; Hee, Tokuda, Slom

667, H.D. 1, S.D. 2 Taniguchi, Chair; Baker, Co-Chair; Slom

718, S.D. 2 Kokubun, Chair; Baker, Co-Chair; Fukunaga, Slom

791, H.D. 1, S.D. 1 Menor, Chair; Taniguchi, Co-Chair; Hooser, Trimble

835, H.D. 2, S.D. 1 Taniguchi, Chair; Baker, Co-Chair; Slom

870, H.D. 1, S.D. 1 Menor, Chair; Tsutsui, Co-Chair; Hooser, Trimble

899, H.D. 1, S.D. 1 Menor, Chair; Kokubun/Baker, Co-Chairs; Hooser, Trimble

902, H.D. 2, S.D. 3 Kokubun, Chair; Fukunaga/Baker, Co-Chairs; Tokuda, Slom

928, H.D. 1, S.D. 2 Chun Oakland, Chair; Tsutsui, Co-Chair; Hooser, Hemmings

1001, H.D. 2, S.D. 2 Taniguchi, Chair; Inouye/Baker, Co-Chairs; Slom

1003, H.D. 3, S.D. 2 Menor, Chair; Sakamoto/Baker, Co-Chairs; Fukunaga, Trimble

1004, H.D. 2, S.D. 1 Taniguchi, Chair; Baker, Co-Chair; Slom

1114, H.D. 2, S.D. 2 Kokubun, Chair; Baker, Co-Chair; English, Hee, Slom

1200, H.D. 1, S.D. 2 Kokubun, Chair; Baker, Co-Chair; English, Hee, Tsutsui, Slom

1201, H.D. 1, S.D. 1 Kokubun, Chair; Baker, Co-Chair; English, Hee, Slom

1220, H.D. 1, S.D. 2 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

1221, H.D. 2, S.D. 2 Kokubun, Chair; Baker, Co-Chair; Tokuda, Slom

1270, H.D. 2, S.D. 2 Kokubun, Chair; Baker, Co-Chair; Tokuda, Slom

1283, H.D. 2, S.D. 2 Kokubun, Chair; Taniguchi/Baker, Co-Chairs; Fukunaga, Slom

1306, H.D. 2, S.D. 1 Taniguchi, Chair; Hee, Co-Chair; Slom

1322, S.D. 1 Taniguchi, Chair; Baker, Co-Chair; Slom

1323, S.D. 1 Taniguchi, Chair; Baker, Co-Chair; Slom

1403, H.D. 2, S.D. 1 Espero, Chair; Tsutsui, Co-Chair; Nishihara, Whalen

1516, H.D. 2, S.D. 2 Kokubun, Chair; Tsutsui, Co-Chair; Tokuda, Slom

1518, H.D. 1, S.D. 2 Taniguchi, Chair; Hee, Co-Chair; Sakamoto, Slom

1628, H.D. 1, S.D. 1 Kokubun, Chair; Taniguchi, Co-Chair; Tokuda, Slom

1639, H.D. 2, S.D. 3 Kokubun, Chair; Fukunaga/Baker, Co-Chairs; Tokuda, Slom

1641, H.D. 2, S.D. 2 Menor, Chair; Taniguchi, Co-Chair; Hooser, Trimble

1646, H.D. 2, S.D. 1 Menor, Chair; Kokubun, Co-Chair; Hooser, Trimble

1787, H.D. 1, S.D. 2 Menor, Chair; Tsutsui, Co-Chair; Hooser, Trimble

1848, H.D. 2, S.D. 2 Kokubun, Chair; Baker, Co-Chair; Tokuda, Slom

1866, H.D. 3, S.D. 2 Taniguchi, Chair; Baker, Co-Chair; Slom

1899, H.D. 2, S.D. 2 Tokuda, Chair; Baker/Kokubun, Co-Chairs; Hee, Slom

1950, H.D. 1, S.D. 2	Inouye, Chair; Kokubun/Taniguchi, Co-Chairs; Tokuda, Tsutsui, Hemmings

Sen. Com. No. 828, dated April 16, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the House to the following Senate Bills:

871, S.D. 2, H.D. 2	Menor, Chair; Ige/Tsutsui, Co-Chairs; Hooser, Trimble
987, S.D. 1, H.D. 2	Menor, Chair; Kokubun/Inouye, Co-Chairs; Hooser, Trimble
992, S.D. 1, H.D. 2	Menor, Chair; Hooser, Trimble
994, S.D. 1, H.D. 1	Menor, Chair; Fukunaga, Co-Chair; Hooser, Trimble
1011, S.D. 1, H.D. 1	Taniguchi, Chair; Ihara, Gabbard
1017, H.D. 1	Taniguchi, Chair; Espero, Slom
1026, S.D. 2, H.D. 3	Menor, Chair; Baker, Co-Chair; Hooser, Gabbard
1066, S.D. 2, H.D. 2	Menor, Chair; Tsutsui, Co-Chair; Hooser, Trimble
1222, S.D. 3, H.D. 2	Menor, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Trimble
1410, S.D. 1, H.D. 1	Taniguchi, Chair; Ihara, Slom
1612, S.D. 2, H.D. 2	Menor, Chair; Baker, Co-Chair; Hooser, Trimble
1704, S.D. 1, H.D. 1	Taniguchi, Chair; Espero, Slom
1718, H.D. 2	Menor, Chair; Tsutsui, Co-Chair; Hooser, Trimble
1803, S.D. 1, H.D. 1	Taniguchi, Chair; Hee, Co-Chair; Slom
1943, S.D. 2, H.D. 2	Menor, Chair; English/Kokubun, Co-Chairs; Hooser, Trimble
1947, S.D. 1, H.D. 1	Menor, Chair; Baker, Co-Chair; Hooser, Trimble
1988, S.D. 1, H.D. 2	Taniguchi, Chair; Espero, Slom

Sen. Com. No. 829, dated April 16, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 1171, HD 1, SD 1	Senator Hee replaced Senator Baker as Chair. Senator Baker added as a Co-Chair.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Carroll introduced veterans from the Island of Molokai, Mr. Larry Helm, Mr. Mac Poepoe, Mr. Jessie DuDoit, Mr. John Keohualoa and Mr. Earl Paleka.

Representative Bertram introduced Mr. Robert Santos, Hawaiian flute player who delivered today's invocation. Accompanying him was his brother, Mr. Carlos Santos; and friend, Ms. Airica White with her infant son, Richard White.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
1676, SD2, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

ADJOURNMENT

At 12:14 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 18, 2007. (Representatives Hanohano and Sagum were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 17, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 1830, HD 2, SD 2	Added Representative Mizuno as a member.
S.B. No. 1676, SD 2, HD 1	Added Representative Nakasone as Co-Chair.

House Communication dated April 17, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 679, HD 2, SD 2	Discharged Representative Herkes as Co-Chair. Added Representative McKelvey as a Co-Chair.
S.B. No. 1614, SD 1, HD 1	Added Representative Shimabukuro as member.

House Communication dated April 17, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

1004, SD 2, HD 2	Green/Herkes, Co-Chrs.; Awana
1283, SD 2, HD 2	Chang/Green/M. Oshiro, Co-Chrs.; Ching
1665, HD 1	Waters, Chr.; B. Oshiro, Sonson, Ching
1792, SD 3, HD 3	Green/Nakasone, Co-Chrs.; Mizuno, Awana

"HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

April 17, 2007

Ms. Patricia Mau-Shimizu, Chief Clerk
House of Representatives
State of Hawaii
State Capitol, Room 027
Honolulu, Hawaii 96813

Ms. Carol Taniguchi, Chief Clerk
Senate
State of Hawaii
State Capitol, Room 010
Honolulu, Hawaii 96813

Dear Ms. Mau-Shimizu and Ms. Taniguchi:

This is to inform you that we authorize an exception to section 9.d of the joint Senate-House conference procedures with respect to House action on Senate amendments to the following:

(1) House Bill No. 1414, H.D. 1, S.D. 2, making an emergency appropriation for department of taxation county surcharge implementation costs; and
(2) House Bill No. 1818, H.D. 2, S.D.1, relating to government employees.

Under section 9.d, the House conferees on the bills would have been required to formally meet and vote to approve the Senate amendments before sending the bills to the full House.

To expedite the approval of both bills, we authorize the Speaker to discharge the House conferees on the bills and then provide for a House vote on the bills.

This exception is being made pursuant to section 13 of the joint Senate-House conference procedures.

/s/_____	/s/_____
Senator Colleen Hanabusa	Representative Calvin K.Y. Say
President	Speaker
_____4/17/07_____	_____4/17/07_____
Date	Date"

FIFTY-FIRST DAY

Wednesday, April 18, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Mr. Justin Woodson, legislative staff of Representative Brower, after which the Roll was called showing all members present with the exception of Representatives Bertram and M. Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fiftieth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 334 through 337) were received and announced by the Clerk and was placed on file:

Gov. Msg. No. 334, informing the House that on April 17, 2007, the following bill was signed into law:

H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES." (ACT 019)

Gov. Msg. No. 335, informing the House that on April 17, 2007, the following bill was signed into law:

H.B. No. 1278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SITE CLEANUP." (ACT 020)

Gov. Msg. No. 336, informing the House that on April 17, 2007, the following bill was signed into law:

S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 021)

Gov. Msg. No. 337, dated April 18, 2007, transmitting the February, 2007 Medicaid School-based Claiming Program report prepared by the Department of Education.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 830 and 831) were received and announced by the Clerk:

Sen. Com. No. 830, dated April 17, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

15, H.D. 2, S.D. 2	Sakamoto, Chair; Tsutsui, Co-Chair; Nishihara, Gabbard
18, H.D. 1, S.D. 2	Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Gabbard
24, H.D. 1, S.D. 2	Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Gabbard
598, H.D. 1, S.D. 1	Sakamoto, Chair; Fukunaga/Tsutsui, Co-Chairs; Tokuda, Gabbard
767, H.D. 2, S.D. 2	Sakamoto, Chair; Tsutsui, Co-Chair; Nishihara, Gabbard
1372, H.D. 1, S.D. 1	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
1477, H.D. 2, S.D. 2	Ige, Chair; Sakamoto/Baker, Co-Chairs; Fukunaga, Whalen
1529, H.D. 2, S.D. 2	Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Gabbard

Sen. Com. No. 831, dated April 17, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 667, HD 1, SD 2	Senator Chun Oakland added as a conferee.
H.B. No. 1001, HD 2, SD 2	Senator Chun Oakland added as a conferee.
H.B. No. 1004, HD 2, SD 1	Senator Fukunaga added as a conferee.
H.B. No. 1757, HD 1, SD 3	Senators Baker, Fukunaga, Menor added as Co-Chairs.
S.B. No. 871, SD 2, HD 2	Senator Kim added as a conferee

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
1928, SD2, HD3	Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
48, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing
75, SD1	Committee on Legislative Management
114, SD1	Jointly to the Committee on Agriculture and the Committee on Legislative Management
176	Jointly to the Committee on Agriculture and the Committee on Legislative Management
193, SD1	Committee on Agriculture

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 2077), recommending that S.C.R. No. 166, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TEMPORARY LOCATION FOR THE MANOA PUBLIC LIBRARY TO ACCOMMODATE THE COMMUNITY AND STUDENTS DURING THE LIBRARY'S TWO-YEAR CLOSURE," was referred to the Committee on Finance with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2078), recommending that S.C.R. No. 3, SD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 3, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE RATE STRUCTURES OF PRIVATE ENTITIES THAT FURNISH WATER USED FOR AGRICULTURAL PURPOSES," was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2079), recommending that S.C.R. No. 102, SD 1, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES AND STUDY THE EFFECTIVENESS OF THE ADMINISTRATIVE RULES RELATING TO INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR HAWAII-GROWN COFFEE," was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram and M. Oshiro being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 2080) recommending that S.C.R. No. 78, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 78, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON CURRENT INITIATIVES AND DEVELOP A PLAN FOR FUTURE AREAS OF IMPROVEMENT," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 2081) recommending that S.C.R. No. 56, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 56, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII EDUCATIONAL POLICY CENTER TO REPORT ON THE RETENTION AND CHANGE IN ASSIGNMENT OF TEACHERS WITHIN THE DEPARTMENT OF EDUCATION," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2082) recommending that S.C.R. No. 192, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 192, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," was adopted, with Representatives Bertram and M. Oshiro being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2083) recommending that S.C.R. No. 206, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 206, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP A TARO SECURITY AND PURITY RESEARCH PROGRAM," was adopted, with Representatives Bertram and M. Oshiro being excused.

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. Mr. Speaker, I would like to remind Members that we have a big day coming up this Friday. The Legislature will be celebrating Earth Day on Friday by Members wearing natural fiber shirts, including hemp aloha shirts. So I would encourage everyone to wear natural fiber and particularly my colleague over there sitting next to the Transportation Committee Chair. Natural fiber. Thank you."

Representative Har for the Committee on Public Safety and Military Affairs requested a waiver of the 48-hour advanced notice requirement to hear the following resolutions tomorrow, Thursday, April 19, at 10:30 am in Conference Room 312, and the Chair "so ordered."

SCR No. 32, Requesting the Department of the Attorney General to Study the Impact of Cigarette Fire Safety Standards Established in other States; and

SCR No. 39, HD 1, Requesting the Enactment of the Filipino American Veteran's Equity Act of 2007.

Representative Berg: "Thank you, Mr. Speaker. If I may just make a short announcement congratulating one of our colleagues for receiving an award. Colleagues if you will acknowledge that Representative Cynthia Thielen, will be receiving the Woman of the Year Award from her high school, Marlborough in California. Thank you."

Representative Thielen: "Thank you very much, Mr. Speaker. I want to make it very clear to Members that's Marlborough School. Not Marlboro the tobacco company."

ADJOURNMENT

At 12:16 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 19, 2007. (Representatives Bertram and M. Oshiro were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 18, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

1608, SD 3	Souki/Evans/Waters, Co-Chrs.; McKelvey, Pine

House Communication dated April 18, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1928, SD 2, HD 3	Discharged Representative Chong as manager. Added Representative Chong as Co-Chair.

House Communication dated April 18, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 1339, HD 1, SD 1	Added Representative Yamane as a member.
S.B. No. 11, SD 3, HD 2	Representative Ward replaced Representative Wakai.
S.B. No. 1425, SD 2, HD 1	Added Representatives Har and McKelvey as members. Representative Finnegan replaced Representative Awana.

House Communication dated April 18, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 1414, HD 1, SD 2	Discharged all House conferees.
H.B. No. 1818, HD 2, SD 1	Discharged all House conferees

FIFTY-SECOND DAY

Thursday, April 19, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend George Noble of Ewa Community Church, after which the Roll was called showing all members present with the exception of Representatives Chong, M. Oshiro, Takai, Takamine, Takumi and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Forty-Second, Forty-Third, Forty-Fourth and Forty-Fifth Days were approved. (Representatives Chong, M. Oshiro, Takai, Takamine, Takumi and Thielen were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 338 through 341) were received and announced by the Clerk and was placed on file:

Gov. Msg. No. 338, informing the House that on April 18, 2007, the following bill was signed into law:

S.B. No. 1697, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF "CONTRACTOR" UNDER THE CONTRACTOR REPAIR ACT." (ACT 022)

Gov. Msg. No. 339, informing the House that on April 18, 2007, the following bill was signed into law:

H.B. No. 345, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS." (ACT 023)

Gov. Msg. No. 340, informing the House that on April 18, 2007, the following bill was signed into law:

H.B. No. 421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORT TERM INVESTMENT OF COUNTY MONEYS." (ACT 024)

Gov. Msg. No. 341, dated April 16, 2007, transmitting the Office of Youth Services' Report as required by Act 160, Section 91.1, Session Laws of Hawaii 2006.

The following message from the Governor (Gov. Msg. No. 342) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 342, transmitting S.B. No. 14, SD 1, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 18, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 14

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 14, entitled "A Bill for an Act Relating to the University of Hawaii."

This bill attempts to implement the provisions of Article X, Section 6 of the State Constitution, approved in 2006. It establishes a seven-member Candidate Advisory Council, exempts this Council from the open meeting provisions of Chapter 92, Hawaii Revised Statutes, increases from twelve to fifteen the number of University of Hawaii Regents, and establishes geographic criteria for 12 of the Regent positions.

This bill is objectionable because it contradicts what public citizen trusteeship should be--that is, citizens who are independent in their individual and collective judgment and who serve the people of Hawaii, not special interest groups. Instead, Senate Bill No. 14 establishes a narrowly focused constituency-based selection council with each member appointed by seven separate interests, including the All Campus Council of Faculty Senate Chairs, the Executive Council of the University of Hawaii Student Caucus, the Association of Regents Emeritus, and the President of the Alumni Association.

These individuals can recommend as few as only two names to fill a vacancy on the Board of Regents, further contributing to the partisan and narrow focus of potential Regent candidates.

Three nationally recognized and well-respected organizations have expressed serious concerns about the selection process proposed in Senate Bill No. 14-the Association of Governing Boards of Universities and Colleges (AGB), the Western Association of Schools and Colleges (WASC), and the Accrediting Commission of Community and Junior Colleges (ACCJC). They have, on several occasions, pointed out that the process contained in this bill runs counter to national best practices in university governance.

I do not believe any governor, regardless of party, would agree to a process that is opposed by the President of the University of Hawaii and those very organizations that judge whether to accredit the State's premier institution of higher learning.

I am also troubled by the exemption of the selection council from Part 1, Chapter 92, of the Hawaii Revised Statutes covering open meetings, also known as the Sunshine Law. This blanket exemption would allow this council to conduct its proceedings behind closed doors away from public scrutiny. This increases the possibility of political or partisan overtones in the selection process being hidden from public view. Further, it makes it difficult for the selection council members to be held accountable for the recommendations they make since the public will be unable to observe how certain persons were selected, what qualifications were applied, and what screening process was used.

I affirmatively state that I respect the decision of the electorate in amending the State Constitution to change the method for selecting the Board of Regents. I have demonstrated my commitment to implement this Constitutional change by recommending legislation (House Bill No. 1431/Senate Bill No. 1517) to establish an advisory council to screen and propose candidates for appointment to the Board of Regents. This Administration bill does not create the kind of narrow, constituent approach that Senate Bill No. 14 creates and respects the importance of an open selection process.

Should the Legislature send me a bill that incorporates the unbiased and open approach embodied in House Bill No. 1431/Senate Bill No. 1517, then I would be able to sign that measure without hesitation.

For the foregoing reasons, I am returning Senate Bill No. 14 in its present form without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Representative Finnegan rose, stating:

"Mr. Speaker. A point of information. Thank you, Mr. Speaker. Will we have 24 hour notice of any action that we might take on the Governor's messages?"

The Chair responded, stating:

"At this point I believe it will be up to the respective Caucuses. This deals with the veto messages. So, there is no 24 hour requirement because you have it before you and it was received. But if there is a motion for override, you will be notified prior to, but not within a 24 hour time period."

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 832 through 834) were received and announced by the Clerk:

Sen. Com. No. 832, dated April 18, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the Senate to the following House Bills:

119, SD1	Kokubun, Chair; Baker, Co-Chair; Tokuda, Slom
149, HD2, SD2	Inouye, Chair; Fukunaga/Baker, Co-Chairs; Whalen
338, HD2, SD1	Fukunaga, Chair; Baker, Co-Chair; Ige, Trimble
513, SD1	Baker, Chair; Tsutsui, Hemmings
567, HD1, SD2	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
575, HD1, SD2	Nishihara, Chair; Inouye/Tsutsui, Co-Chairs; Kim, Trimble
869, HD1, SD2	English, Chair; Sakamoto/Menor/Baker, Co-Chairs; Gabbard
987, HD1, SD2	Hee, Chair; Kokubun, Nishihara, Gabbard
1005, HD2, SD1	Taniguchi, Chair; Baker, Co-Chair; Gabbard
1207, SD1	Baker, Chair; Tsutsui, Hemmings
1227, HD1, SD1	Baker, Chair; Tsutsui, Whalen
1289, HD2, SD3	Menor, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Trimble
1338, HD2, SD1	Taniguchi, Chair; Baker, Co-Chair; Slom
1414, HD1, SD2	Inouye, Chair; Fukunaga/Baker, Co-Chairs; Trimble
1452, HD1, SD1	Inouye, Chair; Ige/Tsutsui, Co-Chairs; Trimble
1931, SD1	Baker, Chair; Tsutsui, Whalen

Sen. Com. No. 833, dated April 18, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 226, HD 2, SD 2	Senator Trimble discharged as conferee. Senator Hemmings added as conferee.
H.B. No. 275, HD 1, SD 2	Senator Slom discharged as conferee. Senator Garbbard added as conferee.
H.B. No. 436, HD 1, SD 1	Senator Hemmings discharged as conferee. Senator Whalen added as conferee.
H.B. No. 483, HD 1, SD 1	Senator Slom discharged as conferee. Senator Trimble added as conferee.
H.B. No. 507, HD 2, SD 1	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 639, HD 2, SD 1	Senator Trimble discharged as conferee. Senator Gabbard added as conferee.
H.B. No. 652, HD 2, SD 2	Senator Slom discharged as conferee. Senator Hemmings added as conferee.
H.B. No. 667, HD 1, SD 2	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 718, SD 2	Senator Slom discharged as conferee. Senator Hemmings added as conferee.
H.B. No. 760, HD 2, SD 2	Senator Gabbard discharged as conferee.
H.B. No. 791, HD 1, SD 1	Senator Trimble discharged as conferee. Senator Slom added as conferee.
H.B. No. 831, HD 2, SD 1	Senator Hemmings added as conferee.
H.B. No. 835, HD 2, SD 1	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 859, HD 2, SD 2	Senator Gabbard discharged as conferee.
H.B. No. 895, HD 2, SD 1	Senator Hemmings discharged as conferee.
H.B. No. 936, HD 2, SD 1	Senator Slom discharged as conferee. Senator Gabbard added as conferee.
H.B. No. 1001, HD 2, SD 2	Senator Slom discharged as conferee. Senator Hemmings added as conferee.
H.B. No. 1034, SD 1	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 1220, HD 1, SD 2	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 1270, HD 2, SD 2	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 1277, HD 2, SD 3	Senator Trimble discharged as conferee. Senator Slom added as conferee.
H.B. No. 1356, HD 2, SD 2	Senator Hemmings discharged as conferee. Senator Whalen added as conferee.
H.B. No. 1516, HD 2, SD 2	Senator Slom discharged as conferee. Senator Whalen added as conferee.
H.B. No. 1670, HD 2, SD 2	Senator Slom discharged as conferee. Senator Gabbard added as conferee.
H.B. No. 1950 HD 1, SD 2	Senator Hemmings discharged as conferee. Senator Gabbard added as conferee.

S.B. No. 1931, SD 2, HD 3	Senator Tokuda added as conferee.

Sen. Com. No. 834, dated April 19, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 1004, HD 2, SD 1	Senator Fukunaga discharged as conferee; added as Co-Chair.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 58) was received by the Clerk and was placed on file:

Dept. Com. No. 58, dated April 18, 2007, from Mark E. Rectktenwald, Director, Department of Commerce and Consumer Affairs, transmitting the Report in Compliance with Act 160, Section 8(16), SLH 2006, Regarding the Establishment of Positions Pursuant to Explicit Statutory Authorization.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Cabanilla introduced Hawaii Pacific University students promoting peace in Uganda: Duda Breseey, Sara Ortiz, Haile Belin, Jennifer Zondlo and Sophia Palange.

Representative Waters introduced the 'Mayor of Mekia Street', Mr. Al Lewis, Friends of Waimanalo member.

Representative Morita, on behalf of Representatives Tokioka, Sagum and herself, congratulated and introduced newly confirmed judge for the Fifth Circuit, Judge Randal Valenciano. He was accompanied by his wife, Mrs. Debbie Valenciano; and their children, Randon, Marisa and Dreana.

Representative Tokioka also congratulated Judge Valenciano and introduced Judge Valenciano's sister, Ms. Marilyn Billingsley. Accompanying the Valenciano family was Ms. Pat Griffin of Senator Hooser's office.

Representative Sagum further honored and congratulated Judge Valenciano and his family.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolution was re-referred to committee by the Speaker:

H.R. No.	**Re-referred to:**
176	Jointly to the Committee on Legislative Management and the Committee on Judiciary

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	**Re-referred to:**
17	Jointly to the Committee on Health and the Committee on Education
74, SD1	Jointly to the Committee on Education and the Committee on Legislative Management
209	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce

The Chair then stated:

"Members, please refer to your Yellow Action Sheets. At this time, the Chair has discharged the House Conferees previously appointed to H.B. No. 1414, H.D. 1, S.D. 2, on page 42. Also, on page 52, H.B. 1818, H.D. 2, S.D. 1.

"At this time, the House will now proceed to reconsider its disagreement to the Senate amendments to the aforementioned House Bills, those two bills."

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Chang, Takai, Takamine, Takumi and Thielen were excused.)

At 12:18 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative M. Oshiro moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Chang, Takai, Takamine, Takumi and Thielen were excused.)

H.B. No. 1414, HD 1, SD 2
H.B. No. 1818, HD 2, SD 1

The Chair then stated:

"Members, the motion was for the reconsideration and to give notice of the intention to agree 24 hours later, which is tomorrow at 12:20. So you are all aware."

ANNOUNCEMENTS

Representative Waters: "Mr. Speaker. Thank you. I'd like to send a special mahalo and aloha to the Chief Clerk's Office, Data Entry, and Proofing staff: Ryan Kagimoto, Diane Yukimoto, Haylee Sinton-Hewitt, and Jill Takamatsu. Thank you."

Representative McKelvey for the Committee on Consumer Protection and Commerce requested a waiver of the 48-hour advanced notice requirement to hear the following resolutions, tomorrow, April 20th at 9:00 a.m. in Conference Room 229, and the Chair "so ordered."

S.C.R. 3, S.D. 1, Requesting the Public Utilities Commission to Study the Rate Structures of Private Entities that Furnish Water Use for Agricultural Purposes; and

S.C.R. 102, S.D. 1, Requesting the Department of Agriculture to Study Labor Requirements Relating to the Use of Hawaiian Grown Coffee Names, and Study the Effectiveness of the Administrative Rules Relating to Inspections for Certification and Audit Requirements for Hawaiian Grown Coffee.

Representative Berg: "Thank you, Mr. Speaker. I'd just like to remind the Members that tomorrow in celebration of Earth Day on Sunday, Members are invited to wear hemp shirts and any natural fibers tomorrow. Thank you."

Speaker Say: "The Chair would like to commend all the Conferees who have opened up their Conferences. Please realize that this being Thursday, non-fiscal bill deadline will be next week Thursday. The deadline for fiscal bills will be next week Friday. So, please conference over the weekend in order to get the people's work done."

ADJOURNMENT

At 12:25 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 20, 2007. (Representatives Chang, Takai, Takamine, Takumi and Thielen were excused.)

HOUSE COMMUNICATION

House Communication dated April 19, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 149, HD 2, SD 2	Added Representative Chong as a member.
H.B. No. 154, HD 1, SD 1	Representative B. Oshiro replaced Representative Waters as Co-Chair.
H.B. No. 317, HD 2, SD 2	Added Representative Chong as a member.
H.B. No. 356, HD 2, SD 1	Representative B. Oshiro replaced Representative Waters as Co-Chair.
H.B. No. 375, HD 1, SD 2	Representative B. Oshiro replaced Representative Waters as Co-Chair.
H.B. No. 1289, HD 2, SD 3	Added Representative Chong as a member.
H.B. No. 1411, HD 2, SD 1	Added Representative Chong as a member.
H.B. No. 1608, SD 3	Representative B. Oshiro replaced Representative Waters as Co-Chair.
H.B. No. 1757, HD 1, SD 3	Representative B. Oshiro replaced Representative Waters as Co-Chair.
S.B. No. 139, SD 1, HD 1	Added Representative Chong as a member.
S.B. No. 148, SD 2, HD 1	Added Representative Chong as a member.
S.B. No. 678, SD 1, HD 1	Added Representative Chong as a member.
S.B. No. 784, SD 1, HD 2	Representative B. Oshiro replaced Representative Waters as Co-Chair.
S.B. No. 1034, SD 2, HD 1	Added Representative Chong as a member.
S.B. No. 1515, SD 2, HD 2	Representative B. Oshiro replaced Representative Waters as Co-Chair.
S.B. No. 1928, SD 2, HD 3	Representative B. Oshiro replaced Representative Waters as Co-Chair.

House Communication dated April 19, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2007 on the following House Bills:

H.B. No. 1414, HD 1, SD 2
H.B. No. 1818, HD 2, SD 1

House Communication dated April 19, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 831, HD 2, SD 1	Added Representative Manahan as a member.
H.B. No. 1270, HD 2, SD 2	Added Representative Chong as Co-Chair.
H.B. No. 1277, HD 2, SD 3	Added Representative Shimabukuro as Co-Chair.

FIFTY-THIRD DAY

Friday, April 20, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Mandie Pearson, legislative aide of Representative Kirk Caldwell, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Second Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 343 through 345) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 343, dated April 16, 2007, transmitting the Hawaii Brownfields Cleanup Revolving Loan Fund Annual Report.

Gov. Msg. No. 344, informing the House that on April 19, 2007, the following bill was signed into law:

H.B. No. 1376, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM-CONTAMINATED SOIL." (ACT 025)

Gov. Msg. No. 345, informing the House that on April 19, 2007, the following bill was signed into law:

H.B. No. 1294, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND." (ACT 026)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 835 through 838) were received and announced by the Clerk:

Sen. Com. No. 835, dated April 19, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 1931, SD 1	Senator Menor added as a Co-Chair.

Sen. Com. No. 836, dated April 19, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 750, SD 3, HD 2	Senator Trimble discharged as conferee. Senator Hemmings added as conferee.

Sen. Com. No. 837, transmitting H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WORLD HEALTH ORGANIZATION TO CONFER "OBSERVER STATUS" UPON TAIWAN IN ORDER TO PERMIT TAIWAN'S PARTICIPATION IN THE WORLD HEALTH ORGANIZATION'S PROGRAMS AND ACTIVITIES," which was adopted by the Senate on April 19, 2007.

Sen. Com. No. 838, dated April 19, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 1630, HD 2, SD 2	Senator Sakamoto added as conferee.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Marumoto, on behalf of Representative Nishimoto and herself, introduced 5th grade students of King Liholiho Elementary School, and their teachers, Mr. Alan Wong, Ms. Sharon Harauchi and Mr. Ryan Towata.

Representative Mizuno introduced his friend, Mr. John Shaw, Worker's Compensation Hearings Officer with the Department of Labor and Industrial Relations. Mr. Shaw was accompanied by Representative Mizuno's legislative aide, Ms. Ashley Malabey.

Representative Lee introduced Mrs. Mary Ng of Mindoro City and Pasig City in the Phillipines. She is an expert on Phillipine textile and author of the book, *Natidado Binwag Weaves the Bongo*.

Representative Chang, on behalf of Representative Tsuji and himself, introduced Mr. Larry Nakayama of Hilo.

Representative Berg introduced Mrs. Chowdhury, wife of UN Undersecretary General Anwarul K. Chowdhury; Mr. Hiro Sakurai, Soka Gakkai International representative to the United Nations; Mr. Danny Hall, Chair of SGI-USA Youth Peace Committee; Ms. Joanne Tachibana, President of the United Nations Association of Hawaii; and Ms. Tammy Makizuru-Higa, member of the United Nations Association of Hawaii. They were accompanied by Representative Berg's Committee Clerk, Ms. Liz Labby.

Representative Berg then introduced Ambassador, Anwarul Chowdhury, of Bangladesh, United Nations Undersecretary General who was seated on the floor of the House.

At this time, the Chair invited Ambassador Chowdhury to the rostrum, and the Ambassador addressed the House of Representatives as follows:

"Mr. Speaker, distinguished Representatives and the young children over there, I am absolutely delighted to be present in this House of the people in Hawaii. Hawaii has a rich history of living in harmony. In harmony with nature, in harmony amongst its diverse mix of ethnic backgrounds, in harmony with the environment and now a wonderful harmony of distinguished representatives and the younger generation in this House. I am absolutely delighted to be here.

"I'm here to speak tomorrow at the Aloha Peace Forum on an event which is titled, "Building a Culture of Peace and Ensuring their Right to Human Security". The concept of security is transiting through a great change. It's no longer security of territories, but it is about security of people. It is security of individuals, rather than security of nations. It is security achieved through development, rather than through armaments. It is security for all people everywhere: in our streets, in our homes, in our schools, in our jobs, in our living environment. And that is what we are emphasizing tomorrow as we talk about the right to human security. Our nations can be all powerful, but if each one of us felt insecure in our own environment, we will not achieve the quality of life that we are all seeking for everybody.

"The quest of human security is individual and it is global. Insecurity anywhere is insecurity for all of us, and I believe it is very important that we need also to understand that poverty creates a serious challenge to security. That is what I do on a daily basis as a

representative of the United Nations; to work for the poorest, the weakest and the most vulnerable countries of the world.

"And I believe that this is a challenge, which probably doesn't stop at national boundaries. There are problems which create insecurity for all of us. Drugs, terrorism, trafficking of human beings, this is what we need to ensure that these problems without passports need to be addressed by all of us together. At the heart of this effort should be the young people, and we believe that the present generation, we the adults, have somehow failed to make the world more secure, but we should not fail our future generations. If the present generation does not prepare the world for the future, neither the future nor the present will be secure.

"So it is very important for us and I'm very happy that at least the young people, the fifth graders are able to listen to this. We need to involve them more in our work. Sometimes we say they are our future leaders. I believe that they are our present leaders. The decisions that we make, that you make in your legislative assemblies affect all of them so they should be part of this process, they should be involved.

"I must pay tribute to you for your position on the Convention on the Rights of the Child, and for the Global Youth Center that you have just approved, and for all the support that you have provided to the Earth Charter. We are delighted, as representing the United Nations my felicitation to you, each one of you, for supporting these very commendable initiatives in the world.

"I would also like to propose that you please include education for peace in your curriculum, in the curriculum at all levels, at the elementary to the university. Everywhere, peace studies should be part of growing up. And I believe that way we can make the world a better place. Thank you very much."

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	Re-referred to:
1270, HD2, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
1277, HD2, SD3	Committee on Economic Development & Business Concerns, then to the Committee on Tourism & Culture, then to the Committee on Human Services & Housing, then to the Committee on Finance

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
31, SD1	Committee on Judiciary
73, SD1	Jointly to the Committee on Higher Education and the Committee on Labor & Public Employment
98, SD1	Committee on Transportation
173	Committee on International Affairs

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 2084), recommending that S.C.R. No. 155, SD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 155, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A KAPAA QUARRY ROAD SAFETY TASK FORCE TO CONDUCT A STUDY TO DEVELOP AND RECOMMEND TRAFFIC SAFETY MEASURES FOR KAPAA QUARRY ROAD IN ORDER TO ALLEVIATE DANGEROUS ROAD CONDITIONS AND REDUCE HAZARDOUS DRIVING PRACTICES," was referred to the Committee on Finance with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 2085), recommending that S.C.R. No. 137, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 137, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN," was referred to the Committee on Finance with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2086), recommending that S.C.R. No. 91, SD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 91, SD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, the U.S. is not only the leader of the democratic world, but the organizations found within its borders also take the lead among similar organizations in other countries. These countries look to U.S. organizations for leadership and methodologies. No where can this be more prevalent than in Hawaii; the link between East and West.

"Mr. Speaker, this Resolution asks the Hawaii State Commission on the Status of Women, which is mandated to act as a central clearinghouse and coordinating body for governmental and nongovernmental activities and information relating to the status of women, to convene a network of organizations for the support and development of local and international organizations addressing domestic violence and sex assault issues. It also requests that the Commission report back to the Legislature on the success of the network and the international training, including recommendations for further training and international networking opportunities to address issues of domestic violence and sex assault.

"This Resolution will not only help the people of Hawaii, but will help organizations dealing with domestic violence and sex assault in other countries. I urge my colleagues to support this Resolution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was referred to the Committee on Finance with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2087), recommending that S.C.R. No. 147, SD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 147, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO REPORT ON PROJECT SPENDING," was referred to the Committee on Finance with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2088), recommending that S.C.R. No. 220, SD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 220, SD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I'd like to submit written comments in support and also support the amendments that were made in the Resolution because I think they're very good."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, human trafficking is a problem that plagues our world. Every year we hear of more people who have been taken from their families and homes and forced to go to places where they are used and abused. Fortunately, there is help for these people in the United States, but the process to get help takes too much time for some.

"Because certification often requires a considerable length of time to process, typically six months, there is the need for pre-certification victim services from the time that individuals are identified as trafficked persons until they are certified by federal law enforcement. It is during this time trafficked persons may experience the greatest need for services.

"This Resolution requests the Department of Human Services to conduct a statewide needs assessment of non-citizen victims of human trafficking. In completing the needs assessment, the Department of Human Services should collaborate with the task force that was established, to determine how Hawaii can best combat and deter human trafficking, identify existing obstacles, in statute, rule, or policy, that limit or deny benefits to non-citizen victims of human trafficking, and identify appropriate social, financial, and other services for victims of human trafficking, in general, including gaps in the services offered by state, county, and private agencies for victims of human trafficking.

"This Resolution is an important piece of a comprehensive approach our State is taking in compliment to the Anti-Trafficking Task Force and an eventual Human Trafficking Act to stop trafficking in our islands. I urge my colleagues to support this Resolution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 220, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STATEWIDE NEEDS ASSESSMENT OF NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was referred to the Committee on Finance with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2089), recommending that S.C.R. No. 81, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 81, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this one. We heard much testimony both for and against, and really, most of the testimony, there was no evidence of any kind of wrongdoing or financial mismanagement or even program mismanagement. Just some disgruntled people. So it really, it goes beyond what needs to be done and just seems to be an overreaction, so I rise in opposition."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF HAWAII'S INDEPENDENT LIVING CENTER," was referred to the Committee on Legislative Management with Representative Bertram voting no, and with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2090) recommending that S.C.R. No. 122, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 122, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"I have remarks in support, and I'd also like your permission to submit into the record the bill from the State of New York that contains the Breastfeeding Bill of Rights," and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, studies have shown that breastfed infants are healthier than bottle-fed babies. We also know that it is cheaper to breastfeed than it is to buy formula. In fact, a United States Department of Agriculture analysis estimates that at least $3,600,000,000 could be saved nationally if only fifty per cent of mothers breastfed their infants until they were at least six months old. Furthermore, women who receive appropriate, culturally sensitive information and support about breastfeeding during and immediately following their childbirth delivery are eight times more likely to continue breastfeeding for at least six weeks compared to women who received little or no post delivery support about breastfeeding.

"It is therefore important for information about breastfeeding to be available to women. This resolution supports Senate Bill No. 1674 and Assembly Bill No. 3782 of the New York State Legislature, which proposes to codify every woman's right to be informed about

the benefits of breastfeeding and to have an environment that is conducive to what all pediatricians agree to be the safest and healthiest choice for newborn and infant feeding. These bills propose adoption of a statement of rights, known as the breastfeeding mothers' bill of rights, to: provide mothers with basic breastfeeding-related rights before, during and after the birth of their baby; require that the statement of rights be conspicuously posted in a public place in maternal health care facilities, nurseries, maternity floors, and post-delivery recovery rooms; and require assistance from lactation specialists in the hospital and after discharge.

"This is an important statement and I urge my colleagues to support this Resolution. Thank you."

BILL TEXT:

STATE OF NEW YORK

1674

2007-2008 Regular Sessions

IN SENATE

January 24, 2007

Introduced by Sens. KRUEGER, ADAMS, CONNOR, DIAZ, DUANE, PARKER, SAMPSON, SCHNEIDERMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to breastfeeding mothers' bill of rights

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new section 2505-a to read as follows:

§ 2505-a. Rights of breastfeeding parents. 1. The principles enunciated in subdivision three of this section are declared to be the public policy of the state and a copy of such statement of rights shall be posted conspicuously in a public place in each maternal health care provider's office, treatment room, ward or facility. For purposes of this section, "maternal health care provider" means a physician or other authorized practitioner attending a pregnant woman; and "maternal health care facility" includes, but is not limited to, a maternal health care provider's office, a birthing center, a maternity ward or hospital.

2. The commissioner shall make available to every maternal health care provider, a maternal health care facility, or to any person upon request, a copy of the statement of rights provided in subdivision three of this section, and shall adopt any rules and regulations necessary to ensure that such patients are treated in accordance with the provisions of such statement.

3. The statement of rights shall consist of the following:

"Breastfeeding Mothers Bill of Rights

Choosing the way you will feed your new baby is the most important decision you will make in preparing for your infant's arrival. Pediatricians all agree breastfeeding is the safest and most healthy choice. It is every woman's right to be informed about the benefits of breastfeeding and have a warm, inviting environment in the maternal health care facility which will encourage nursing and make it easy. A woman has the right to make her own choice about breastfeeding. If you do not understand or need help understanding these rights, the maternal health care provider MUST help you and even provide an interpreter, if necessary. These rights are yours regardless of your race, creed, national origin or who is paying for your healthcare.

(1) Before You Deliver:

You have the right to receive information that is free of commercial interests and includes:

* The nutritional, medical and psychological benefits of breastfeeding;

* The steps necessary to prepare yourself and your baby for breastfeeding;

* An explanation of some of the problems you may encounter and how to avoid or solve them.

(2) In The Maternal Health Care Facility:

* You have the right to have your baby stay with you right after he or she is born so that you can begin breastfeeding right away.

* You have the right to have someone with specialized training in breastfeeding help you whenever you need help.

* You have the right to insist that your baby not receive any bottle feeding or pacifiers.

* You have the right to be informed about and refuse any drugs that may dry up your milk.

* You have the right to have your baby with you 24 hours a day.

* You have the right to breastfeed your baby at any time day or night.

* You have the right to know if your doctor has advised against breastfeeding your baby and the reasons for the decision.

* You have the right to have a sign on your baby's crib clearly stating that your baby is breastfeeding and that no bottle feeding of any type is to be offered.

* You have the right to be told by the health care provider staff how they think you are doing and if necessary how to improve your feeding technique.

* You have the right to breastfeed your baby in the neonatal intensive care unit or if nursing is not possible, have your baby receive your pumped or expressed milk.

* You have the right to breastfeed should you or your baby need to be re-hospitalized after the initial delivery stay. In this instance the hospital will provide hospital grade electric pumps, rooming-in facilities and a staff member with specialized training in breastfeeding to help you.

* You have the right to have a support person (family member or friend) receive breastfeeding information from a specially trained staff member.

(3) When You Leave The Maternal Health Care Facility:

* You have the right to printed breastfeeding information free of commercial interests.

* You have the right to be discharged from the maternal healthcare facility without advertisements, coupons or free samples intended to promote or induce purchase of baby-related products, unless specifically requested by you.

* You have the right to receive information about breastfeeding resources in your community including information on availability of breast pumps.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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feeding and have a warm, inviting environment in the maternal health care facility which will encourage nursing and make it easy. A woman has the right to make her own choice about breastfeeding. If you do not understand or need help understanding these rights, the maternal health care provider MUST help you and even provide an interpreter, if necessary. These rights are yours regardless of your race, creed, national origin or who is paying for your healthcare.

(1) Before You Deliver:

You have the right to receive information that is free of commercial interests and includes:

* The nutritional, medical and psychological benefits of breastfeeding;

* The steps necessary to prepare yourself and your baby for breastfeeding;

* An explanation of some of the problems you may encounter and how to avoid or solve them.

(2) In The Maternal Health Care Facility:

* You have the right to have your baby stay with you right after he or she is born so that you can begin breastfeeding right away.

* You have the right to have someone with specialized training in breastfeeding help you whenever you need help.

* You have the right to insist that your baby not receive any bottle feeding or pacifiers.

* You have the right to be informed about and refuse any drugs that may dry up your milk.

* You have the right to have your baby with you 24 hours a day.

* You have the right to breastfeed your baby at any time day or night.

* You have the right to know if your doctor has advised against breastfeeding your baby and the reasons for the decision.

* You have the right to have a sign on your baby's crib clearly stating that your baby is breastfeeding and that no bottle feeding of any type is to be offered.

* You have the right to be told by the health care provider staff how they think you are doing and if necessary how to improve your feeding technique.

* You have the right to breastfeed your baby in the neonatal intensive care unit or if nursing is not possible, have your baby receive your pumped or expressed milk.

* You have the right to breastfeed should you or your baby need to be re-hospitalized after the initial delivery stay. In this instance the hospital will provide hospital grade electric pumps, rooming-in facilities and a staff member with specialized training in breastfeeding to help you.

* You have the right to have a support person (family member or friend) receive breastfeeding information from a specially trained staff member.

(3) When You Leave The Maternal Health Care Facility:

* You have the right to printed breastfeeding information free of commercial interests.

* You have the right to be discharged from the maternal healthcare facility without advertisements, coupons or free samples intended to promote or induce purchase of baby-related products, unless specifically requested by you.

* You have the right to receive information about breastfeeding resources in your community including information on availability of breast pumps.

* You have the right to have the maternal health care facility make an appointment for you with a healthcare provider for follow-up care for when your baby is 3-5 days old.

* You have the right to receive information about safely collecting and storing your breast milk.

* You have the right to breastfeed your baby in any location, public or private, where you are otherwise authorized to be, whether or not the nipple of your breast is covered at anytime during the breastfeeding process.

All the above are your rights. If the maternal health care facility does not honor these rights you can seek assistance by contacting _____.*

* Administered by the New York State Department of Health. Prior to effective date the department will establish a toll-free number for complaints."

4. Each maternal health care provider shall give a copy of the statement to each patient at or prior to the medically appropriate time or time of admission to a maternal health care facility, or to the appointed personal representative at the time of appointment and to each member of the medical provider's staff.

5. Each maternal health care provider shall prepare a written plan and provide appropriate staff training to implement the patient's rights included in the statement.

§ 2. This act shall take effect May 13, 2008; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 122, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE BREASTFEEDING MOTHERS' BILL OF RIGHTS OFFERED AS SENATE BILL NO. 1674 AND ASSEMBLY BILL NO. 3782 IN THE NEW YORK STATE LEGISLATURE," was adopted, with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2091) recommending that S.C.R. No. 136, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 136, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT AN INTERIM DIRECTOR FOR THE EXECUTIVE OFFICE ON AGING UNTIL A PERMANENT DIRECTOR IS APPOINTED," was adopted, with Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen were excused.)

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Berg, Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen were excused.)

H.B. No. 1414, HD 1, SD 2
H.B. No. 1818, HD 2, SD 1

H.B. No. 1414, H.D. 1, S.D. 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1414, H.D. 1 and H.B. No. 1414, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLEMENTATION COSTS.," passed Final Reading by a vote of 44 ayes, with Representatives Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

H.B. No. 1818, H.D. 2, S.D. 1:

Representative Caldwell moved that H.B. No. 1818, HD 2, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition with written comments and just a short comment. Mr. Speaker, this bill is quite different. In fact, it's a 'gut and replace' from when we last saw it, I believe, and I really did like the House version. Thank you."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I am in opposition to this bill. This bill supposedly clarifies what happens when the term of a single executive expires without a renomination or nomination of a person to fill that office by the Governor. In other words, what happens to a holdover?

"I say supposedly clarifies because even if the intent of this measure may be clear, the consequences are not. This legislation calls for "the highest ranking and most senior officer in a civil service position" to perform the duties of the vacant office until the Governor makes a nomination of grants a commission to fill the vacancy.

"Let's paint a clearer picture. The Director of Labor and Industrial Relations is in this position now. The Governor has not named a replacement. Indeed, they are undertaking all due diligence to find a replacement. To date, she has been unable to find someone willing to accept this appointment.

"Under this bill, a civil servant will assume the duties of the vacant office until the Governor remedies the matter. That is fairly clear. What is not clear are the legal ramifications of this bill.

"There is case law that states that a worker can assume the duties of a higher office as long as they are compensated accordingly. The more important issue appears to be that case law and the laws of other jurisdictions are unclear on whether the individual leaves their civil service position and becomes an at-will employee in this situation.

"I am wary of this. When a civil service worker assumes the pay and duties of management, in this case, the highest management position in a department, they are no longer labor. They are management. And under chapter 26 of the Hawaii Revised Statues, the Governor has the ability to remove a single executive from office at any time. In other words, this bill creates a mechanism whereby senior civil servants can be fired.

"Worse, carried further, by continued inaction, the Governor could turn this situation into a conveyor belt, allowing senior civil servants to assume the role and pay of the single executive and firing them. The result would be turnover on a grand scale in the office of the single executive, and the positions vacated below the executive.

"This would be the consequence of this legislation. To think otherwise is to sanction the potential improprieties that a person serving in this dual role could perpetrate. For example, the senior civil servant assumes the duties of the Director. As Director, this person could authorize appropriations, leave, and travel requests for their civil service position that they could "return" to.

"There could be conflicts of interests, commingling of funds, unauthorized activity, or decisions on promotions and discipline, and all this could be done without accountability because this person serves in two roles, one being the director, the other being the civil servant. That cannot be, and is not, the intent of this Legislature.

"Because of the creation of a process that would allow the firing of senior civil servants, I remain in opposition."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in opposition. First, I would like to incorporate the words of the Minority Leader as my own. While this legislation attempts to solve a problem with holdovers, it also creates a situation where senior civil servants can be subjected to the termination at the will of the Governor. That is a bad policy and contrary to the principles of civil service.

"I also agree that it is not the intent of this Legislature to create a situation where a civil servant could straddle the line between management and labor and allow for various wrongdoings.

"I would like to bring up another issue, and that is the vagueness of parts of this legislation. Namely, on page 3, lines 8 & 9, the person selected to perform the duties of the vacant office, other than the Department of the Attorney General or the Department of Defense is "the highest ranking and most senior officer in a civil service position."

"There is a possibility that the highest ranking civil servant is not the most senior officer. How is a civil servant selected in this situation? Does seniority trump rank? Does rank trump seniority? There is no case law in this area.

"There is also no discretion in this bill. What if the highest ranking and most senior officer in a civil service position refuses to perform the duties of the vacant office? Especially in light of the possibility of being fired by the Governor. What is the recourse? Suspending the civil servant? For what? Wanting to do their job? I cannot support this."

Representative Pine rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Mr. Speaker, I am in opposition to HB1818, HD2, SD1. This bill is another thinly veiled attempt to usurp the responsibilities of the Governor. Under this proposed law, the Senate could reject all the Governor's nominees and appoint their own department directors. Given the ridiculous machinations and "kabuki-esque" drama that has played out in this year's confirmation hearings, it is questionable whether any nominees would be approved if the Democrat majority is given the license that this bill provides.

"Our State constitution is modeled after the US Constitution. In drafting this incredible document, the Founding Fathers created a system that spread power among three branches of government. This keeps a rein on those that would run rampant over those with an opposing view point. This system of checks and balances was termed "essential to the preservation of liberty" by the writers of the Federalist Papers[1]. It goes on to state, "that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others.[2]" The Founding Fathers knew the mischief that could be made if members of one branch over-meddled in the selection of the members of the other. "Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal.[3]"

"Mr. Speaker, the State constitution charges the Governor with the responsibility to nominate and appoint the directors of each department. As stated, "Each principal department shall be under the supervision of the governor and, unless otherwise provided in this constitution or by law, shall be headed by a single executive. Such single executive shall be nominated and, by and with the advice and consent of the senate, appointed by the Governor.4"

"Mr. Speaker, if passed, this bill would take this power away from the executive branch and shake the very foundation of our state constitution. In the most recent election, the people of Hawaii gave their overwhelming approval to this Governor. Why does the Legislature seek to handcuff her?"

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in opposition. I would like the words of the Minority Leader, Minority Floor Leader, and Assistant Minority Leader incorporated as if they were my own. I am very troubled by the process we are legislating today, a process that can be used to eliminate our highest ranking and most senior civil servants. In the interests of time, I will not reiterate that which has been said.

"However, Mr. Speaker, looking at the concerns of the Minority Floor Leader, there are many loose ends to this legislation, and there are some bad consequences. This was sloppy work by the Senate, and we should have sent this bill to Conference Committee to work out the flaws. But that is not what we have decided to do today.

"Mr. Speaker, the Senate may have been sloppy, but we are being negligent in agreeing to this sloppiness. I cannot be a party to this. I continue to be in opposition."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1818, H.D. 2 and H.B. No. 1818, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," passed Final Reading by a vote of 37 ayes to 7 noes, with Representatives Awana, Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Cabanilla, Green, Souki, Takai, Takamine, Takumi and Thielen being excused.

At 12:25 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1414, HD 1, SD 2
H.B. No. 1818, HD 2, SD 1

At 12:26 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

ANNOUNCEMENTS

Representative Nishimoto for the Committee on Transportation requested a waiver of the 48-hour advanced notice requirement to hear SCR 98, relating to sunrise review for bail agents, today at 3:00 p.m. in Conference Room 224, and the Chair "so ordered."

Representative Waters: "Thank you, Mr. Speaker. On this Friday, April 20th, I'd like to send a sincere mahalo to Neal Shigemura, Roger Tyau and Tat Ming Woo."

Speaker Say: "Thank you very much. They're all from the Accounting Office. They take care of all of your per diem checks and pay the bills."

Representative Marumoto: "Thank you, Mr. Speaker. Colleagues, today is April 20th and it's Earth Day. Please celebrate by visiting Saunders Hall on the UH Manoa campus today between 3:00 and 7:00 p.m. You might have seen a write up on the festivities in today's *Honolulu Advertiser*. Students have formed, HUB, Help Us Bridge, to make Saunders Hall a 'green building'. They're seeking

[1] The Federalist Papers (accessed April 22, 2007); available from http://www.foundingfathers.info/federalistpapers/fed51.htm.
[2] Ibid.
[3] Ibid.
[4] The State Constitution (accessed April 24, 2007); available from http://www.hawaii.gov/lrb/con/conart5.html.

State funds for a photovoltaic roof, low water toilets and lighting changes to save resources. With a mantra to: Recycle, Reduce and Reuse, please show your support for their efforts by visiting Saunders Hall this afternoon. Mahalo."

Representative Ward: "Mr. Speaker, this has been quite a week. It began with presentation of the Hawaii Medal for those families who lost members in Iraq. Virginia Tech took place this week. And we just learned that a graduate of our high schools, Punahou and Kalaheo, a Peace Corps volunteer, Julia Campbell, who I would consider a colleague, has been killed in the Philippines. I would ask this body with your permission, if we could have a moment silence for the young lady, Ms. Campbell who was killed."

Representative Caldwell: "Mr. Speaker, along the same lines as mentioned, the Representative of Waianae earlier this week did very eloquently talk about the tragedy at Virginia Tech. Today is a national day of mourning across our country for those who have not only been killed, but those wounded, and their families, friends and the larger community. And therefore when we do have our moment silence, also request that there be a moment of silence for what occurred at Virginia Tech University."

Speaker Say: "Members of the House, after the motion to adjourn is made, we will all rise to signify one's concurrence for a moment of silence in memory of the victims of the tragedy at Virginia Tech University, and also the young woman who died or was murdered as a Peace Corps volunteer in the Philippines."

ADJOURNMENT

Representative B. Oshiro moved that the House of Representatives adjourn until 12:00 o'clock noon, Monday, April 23, 2007, seconded by Representative Meyer.

The motion to adjourn was put to vote by the Chair on a vote by standing for a moment of silence in memory of the victims of the Virginia Tech University campus incident, and Ms. Julia Campbell, Peace Corps volunteer, who lost her life in the Philippines.

At 12:31 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon, Monday, April 23, 2007. (Representatives Cabanilla, Chang, Green, Saiki, Souki, Takai, Takamine, Takumi and Thielen were excused.)

HOUSE COMMUNICATION

House Communication dated April 20, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day, agreed to the amendments and passed the following House Bills on Final Reading:

H.B. No. 1414, HD 1, SD 2
H.B. No. 1818, HD 2, SD 1

FIFTY-FOURTH DAY

Monday, April 23, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Mele Carroll, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Nishimoto, Takamine and Waters, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 346 through 351) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 346, dated April 20, 2007, transmitting the Department of Land and Natural Resources' report relating to the Division of Conservation and Resources Enforcement's monthly enforcement activities for March 2007.

Gov. Msg. No. 347, informing the House that on April 20, 2007, the following bill was signed into law:

H.B. No. 1157, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS." (ACT 027)

Gov. Msg. No. 348, informing the House that on April 20, 2007, the following bill was signed into law:

H.B. No. 1225, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS." (ACT 028)

Gov. Msg. No. 349, informing the House that on April 20, 2007, the following bill was signed into law:

H.B. No. 1287, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY." (ACT 029)

Gov. Msg. No. 350, informing the House that on April 20, 2007, the following bill was signed into law:

H.B. No. 1007, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SELF-SUFFICIENCY." (ACT 030)

Gov. Msg. No. 351, informing the House that on April 20, 2007, the following bill was signed into law:

S.B. No. 1968, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD." (ACT 031)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 839 and 840) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 839, dated April 20, 2007, informing the House that the President has appointed as conferees on the part of the Senate, for consideration of amendments proposed by the House to the following Senate Bill:

870, SD1, HD2	Fukunaga, Chair; Espero, Slom

Sen. Com. No. 840, dated April 20, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

S.B. No. 992, SD 1, HD 2	Senators Baker, Fukunaga added as Co-Chairs.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 2092) recommending that H.R. No. 274, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 274, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, TO CONDUCT A STUDY TO EVALUATE PLANS BY YOUNG BROTHERS, LTD., TO DISCONTINUE ITS LESS-THAN-CONTAINER-LOAD INTERISLAND CARGO SERVICE," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 2093) recommending that S.C.R. No. 30, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO COOPERATE AND COORDINATE EFFORTS TO HARMONIZE PEDESTRIAN WALK SIGNAL LIGHTS WITH THE PEDESTRIAN'S RIGHT OF WAY IN CROSSWALK LAW," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 2094) recommending that S.C.R. No. 138, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 138, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT XERISCAPING TO DECORATE ROADWAYS, MEDIAL STRIPS, ROUNDABOUTS AND OTHER AREAS UNDER ITS JURISDICTION," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Chang and Sonson, for the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 2095) recommending that S.C.R. No. 73, SD 1, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that S.C.R. No. 73, SD 1, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 73, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SUBMIT A REPORT WITH INFORMATION REGARDING THE SALARIES OF UNIVERSITY OF HAWAII AT MANOA FACULTY AND ADMINISTRATORS," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 2096) recommending that S.C.R. No. 79, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON THE LINKING OF FUNDING FOR INDIVIDUAL CAMPUSES WITH PERFORMANCE GOALS," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 2097) recommending that S.C.R. No. 67, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 67, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE P-20 COUNCIL AND THE UNIVERSITY OF HAWAII TO REPORT ON EARLY COLLEGE AWARENESS PROGRAMS FOR ELEMENTARY, MIDDLE AND HIGH SCHOOL STUDENTS," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2098) recommending that S.C.R. No. 3, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 3, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE RATE STRUCTURES OF PRIVATE ENTITIES THAT FURNISH WATER USED FOR AGRICULTURAL PURPOSES," was adopted, with Representatives Cabanilla and Takamine being excused.

At 12:11 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:11 o'clock p.m.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 2099) recommending that S.C.R. No. 57, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 57, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"I rise with reservations. Mr. Speaker, when I took a look at the voting record, I noticed that there was a mistake. It does show me as a yes vote on this particular Resolution, but I was with reservations.

"Taking a look at this Resolution, I think that there's a lot of merit to what it has to say in regards to making amendments to the No Child Left Behind Act of 2001. The main problem that I have with this particular Resolution is the title which says, Requesting the United States Congress to Propose Amendments to the No Child Left Behind Act of 2001. But in the Be it Resolved clause, it basically says, 'Be it resolved', and dot dot dot. And then it says, 'Congress is strongly urged to propose specific amendments to or recommend the repeal of the federal No Child Left Behind Act of 2001.'

"There are several things that I'd like to comment on. One is although I agree with a lot that's being said in this particular Resolution, the No Child Left Behind Act of 2001 actually served some good. And it's recognized, from what I spoke to one of the teachers during their union conference a couple weeks ago, that there was actually a resolution that the union was presented with, and it was repeal the NCLB of 2001. And it was voted down. They did not want the repeal of this Act.

"The other thing is some of it is confusing to me. Whether or not the it is the implementation of the Act, because they do give the State authority on a lot of items. For instance, meeting standards. Yes, you need to make these standards and the schools will be basically judged by meeting or not meeting those standards. But where the standards are, are determined upon each state. So that's something often that we talk about standards either being too high or not being able to meet them. But that is the implementation of the Act that the state has control over.

"There are other things that represent that as well. There's some flexibility from what I'm told on the federal level, but yet when it comes to the state level, it's almost like a blame game between the two. Either the feds, it was because they feds say that you have to do this, and then sometimes it's because of the DOE that you have to do this. So some of the things are very unclear to me. So I just wanted to reflect that I think that we could use the proposed amendments, some of which we've talked about a lot, whether or not you have everyone passing, but yet one special group or one of the subgroups may not be able to pass, whether it be Special Ed, or English as a Second Language. And it reflects off of the whole school "failing." So I think that we could use some amendments to NCLB. I disagree though, strongly, with the repeal of NCLB."

Representative Takai rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Thank you, Mr. Speaker. I want to echo some of the comments made by the previous speaker. She mentioned that in going and looking at the No Child Left Behind Act of 2001 now six years later, we all recognize, on a bipartisan basis throughout all legislatures throughout the nation, we all recognize that there are some major fixes that need to be done to the No Child Left Behind Act. And I would also agree with her that we cannot repeal the NCLB law of 2001. In fact, the NCLB Law of 2001 is now the ESEA, Elementary and Secondary Education Act that Congress passes once every eight years.

"But moving forward, I think one needs to reflect on the history since 2001, and needs to be mindful of the fact that the Hawaii State Legislature in particular, this body in 2003 voted against the federal mandates of the No Child Left Behind Act of 2001. We're actually, Mr. Speaker, the very first legislative body to take that bold step. And since then, numerous, I would hazard to guess a clear majority of the legislatures, throughout the nation now realize what we have said many years ago and that is that the No Child Left Behind Act of 2001 not only attempts to address concerns on both sides of the aisle, but actually erodes some of the significant progress we have made over the years as it relates to education reform.

"I'd just like mention one other thing. In 2003, when we were discussing this particular issue, many of us felt that the mandates at the federal level coming down and reaching in to the states like Hawaii were intrusions on state's rights. And we wondered why there was so much emphasis at the federal level focusing on what they called, research base initiatives. And just recently in *Washington Post*, on Saturday, April 21st, there was an article and I'd like to insert the article in the Journal with your permission. The title of the article was, Key Initiative of No Child Under Federal Investigation. And the subtitle of this particular article reads, Officials Profited from Reading First Program.

"Mr. Speaker, I think once we get down to the 'nitty gritty' and the foundation of No Child Left Behind, which I think Congress is right now getting down to, we'll find that there's so many concerns and conflicts with this particular measure that you know we need to be wary as a state as we move forward. The last thing I'd like Mr. Speaker, is if I can insert additional written comments in support," and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"I want to make sure that everyone remembers what was said on the Floor of this House just a few years ago. In 2003, when it was politically correct to support the Bush Administration's No Child Left Behind Law of 2001, we here in Hawaii took the bold step to point out the significant challenges that states would have in implementing this flawed piece of legislation. What follows is information that will shed some light as to how correct we were in our opposition to NCLB.

"Stand Up for Public Education wrote "Trends: What Legislatures are Doing and Why" in their August 29, 2003 issue. What follows is the blurb for Hawaii:

The passage of No Child Left Behind (NCLB) not only has had a major impact on local schools, but also has had a ripple effect in the various legislatures across the nation. Bipartisan concerns about federal intrusion, an unfunded mandate and possible erosion of existing state assessment plans prompted legislative activity from exhortatory resolutions to outright refusal to implement the law.

In each issue of *The Leader's Edge*, we provide a thumbnail sketch of the conversation and legislating that has taken place in response to NCLB in several of the nation's statehouses. This month's canvass stretches from Maine to Hawaii.

Hawaii: State Rep. K. Mark Takai, D-Pearl City, said that NCLB and its mandated tests will "reflect things the school has no control over," such as poverty and parental education, and is "truly unfair to our children and our education system." He noted that the state's top high school will fail under NCLB, because reading scores for the limited English proficient and disabled students were short of the NCLB target.

Takai has developed a school evaluation system that "uses business techniques to gauge progress on a weekly basis [that] motivates and creates an environment" in which improved learning can occur. Education, he notes, should not be "based on one test every year. You don't see the local gas station, the 7-Eleven or Safeway measure their success on one test a year."

Takai said that NCLB "is a recipe for failure" and that "its requirements will ensure that nearly every school in Hawaii and throughout the nation will fail in four years, if not sooner.

Based on these observations, Takai introduced a non-binding House resolution "urging the [state] board of education and the superintendent of education to decline any further participation in the No Child Left Behind Act of 2001 and return all Title I program moneys conditioned on the implementation of the Act by the State of Hawaii.

After being amended to have the Board and Superintendent "consider" declining the funds, Takai's bill passed the House April 11, 2003.

"What follows now is a copy of a speech I made on the House Floor on April 2, 2003 for HR 118: "Urging the Board of Education and the Superintendent of Education to consider declining any further participation in the 'No Child Left Behind Act of 2001' and to return all federal moneys conditioned on the implementation of the Act by the State of Hawaii, unless Congress fully funds the act."

Before anyone accuses me of not supporting educational reform and making excuses for non-performing schools, let me say that I believe that all schools and all students must move forward . . . must perform better . . . and must make progress each and every year.

But, the No Child Left Behind Act (NCLB) is a recipe for failure. Not only is this law a huge unfunded federal mandate, but this federal law and its requirements will ensure that nearly every school in Hawaii and throughout the nation will fail in four years (if not sooner).

I call the No Child Left Behind Act, the Leave No Public School Standing Act, because in a few years and without tremendous intervention at the congressional level, it will label schools as failures . . . they will fail even if all progress indicators suggest that the schools are improving.

I have spent the better part of two years working with Mark Hunter, a banker from Tampa, Florida. Both Mr. Hunter and I developed the Hawaii Educational Performance System (HEPS). This program uses business techniques in schools to gauge progress on a weekly basis. Additionally, Mr. Hunter developed an econometric model that shows that there is a strong correlation between a school's performance on assessment tests and factors that are beyond the scope of the school and its personnel.

These factors that affect a school's performance include the attendance rate, the percentage of students on free or reduced lunch (disadvantaged), percentage of limited English proficiency students (ESL), percentage of students in special education programs (SPED), percentage of teachers with more than five years at that school, percentage of parents who graduated from college or had some college education, enrollment, and the suspension or discipline rate.

Mr. Hunter found a statistically-significant correlation between test scores and these "uncontrollables." As a matter of fact, Mr. Hunter says that if you provide him with the information on these eight uncontrollables then, he can predict the school's test scores within a few percentage points.

Why is this important? And how does this relate to the No Child Left Behind Act? Simply because the results of these high-stakes tests are what makes all the difference under this federal law. The results of these tests determine whether a school fails or succeeds.

Besides requiring states to mandate student testing, NCLB requires states to collect and disseminate subgroup results, ensure a highly qualified teacher in every classroom, and to guarantee that all students, regardless of socioeconomic factors, achieve a "proficient" level of education by the 2014-2015 school year.

When Congress passed this Act and President George Bush signed it on January 8, 2002, everyone believed that the federal government would provide the states with the necessary funding in order to carry out the purposes of the Act. However, this is not the case.

Although the federal government is expected to provide Hawaii with $35 million in fiscal year 2004 for NCLB, an analysis of the fiscal impact of NCLB by the Hawaii Department of Education indicates that the DOE will need an additional $176.3 million for FY04.

In FY05, the DOE anticipates needing an additional $260.7 million. In FY06, the shortage is $302 million. In FY07, the shortage balloons to $349.5 million.

Some will argue that we cannot afford to decline participation in NCLB because we will need to return all funding tied to the Act, which amounts to approximately $125.8 million in FY04. I say that we must consider returning this money because we don't have the $176.3 million in additional state funds necessary for the Act. We don't even have enough money to fund the department at 2002 levels. How can we expect to be able to afford an additional $349.5 million more for NCLB in FY07? This is simply ludicrous.

But what about the highly qualified teacher requirement? We only need to look at the headline in the Wednesday, March 26 edition of the Honolulu Star-Bulletin: "Higher standards put 1,453 substitute teachers out of work."

Under NCLB, substitute teachers are required to have a bachelor's degree. Failure to comply with this requirement will lead to a loss of federal funds. Hawaiian immersion programs and Hawaiian charter schools will be heavily impacted by this provision of the law.

The most egregious part of the Act is the requirement that all schools, including charter schools, must make "adequate yearly progress" toward achieving the target by the end of the 2013-2014 school year – that is, all students must meet or exceed proficient levels of academic achievement on required state assessments.

Under NCLB, schools deemed as failing for two consecutive years must facilitate student transfers to better schools – even those filled to capacity – and provide private tutors for students. If a school continues to be labeled as failing, then the school's principal and teachers must be replaced or the school must be reopened as a charter school.

The biggest challenge for our schools is that the law requires schools to raise achievement levels of students in each of five racial and ethnic subgroups, as well as among low-income students, those with limited English proficiency and special education students. If a school fails to make the established cut scores for any of the subgroups for two consecutive years, then the school is labeled a failure.

The surprising element of this law is that it makes no distinction between a school in a well-educated and very affluent community versus a school in an impoverished community. Both these schools have the same goals or cut-scores for reading and math (In Hawaii, the cut score requirements for this year are 30 percent proficiency for reading and 10 percent proficiency for math.)

In the Education Committee hearing, we learned about how two schools are beating the odds. Kauluwela Elementary School and Solomon Elementary School are the only two schools (out of more than 100 high-poverty schools statewide) that have met the state's requirements for four straight years.

David Rolf, a successful businessman who served on various state and national task forces on educational improvement, touted these two schools as "diamonds." Mr. Rolf says that the Legislature should support the NCLB "in light of the data now available here in Hawaii on the two high-poverty schools that succeeded."

I asked a very simple question to both Mr. Rolf and the DOE officials. The question: how did these two schools do in the Hawaii Content and Performance Standards II (HCPS II) State Test for the disaggregated sub-groups?

I regret to inform all of you that both schools failed the NCLB barometer. Although Kauluwela's students performed well as a whole for both reading and mathematics, students who were deemed not proficient in English failed the state standard.

For Solomon, the story is the same. Both Black children and those considered to be disadvantaged fell short of the state standard. So, even though Solomon's students overall performed above the state standard, the school failed under the NCLB report card.

One of the absurd requirements of NCLB is that the act requires all schools to test 95 percent of their students. According to one secondary school administrator, this requirement is "one of the ludicrous factors that make way to failure." She adds, "schools have very little leverage in conquering this problem when parents are not supportive."

Schools like Nanakuli High & Intermediate School, Kealakehe High School and Pahoa High & Intermediate School don't stand a chance because of this requirement. On any given day, these schools have only 76.7 percent (Nanakuli), 80.7 percent (Kealakehe) and 87.5 percent (Pahoa) attendance, respectively.

So what about our other schools?

Mililani High School: Fails the NCLB barometer because only 7 percent of the disabled students and only 23 percent of the disadvantage students passed the reading section.

Roosevelt High School: Fails the NCLB barometer because only 92 percent of the students took the test. (Again, the law requires a 95 percent test-taking rate else the school fails.)

Lahainalua High School: Fails the NCLB barometer because only 28 percent of the students passed the reading section, and because no disabled students passed the math section.

Kailua High School: Fails the NCLB barometer because only 28 percent of the disadvantage students passed the reading section, and because only 89 percent of the students took the test.

Ala Wai Elementary School: Fails the NCLB barometer because only 9 percent of the ESL students and only 22 percent of the disadvantaged students passed the reading section and only 7 percent of the ESL students passed the math section.

Laie Elementary School: Fails the NCLB barometer because only 29 percent of the Asian students passed the reading section.

Kapaa Elementary School: Fails the NCLB barometer because only 27 percent of the Asian students, 8 percent of the disabled students, and 24 percent of the disadvantaged students passed the reading section.

I feel sorry for schools like Linapuni Elementary School, Palolo Elementary School, Aiea Elementary School and Makaha Elementary School. In each case, they will never make the required "adequate yearly progress" (AYP) under NCLB because of the significant percentage of disadvantaged students (98.8 percent for Linapuni, 95.6 for Palolo, 87.1 for Aiea and 84.1 for Makaha).

Only 11 percent of Linapuni students passed the reading section (the state's requirement is 30 percent) and only 2 percent of the students at Linapuni passed the math section (the state's requirement is 10 percent).

Palolo's scores are even worse. Only 11 percent of the students passed the reading section and only 1 percent of the students passed the math section.

NCLB fails miserably for schools like Linapuni and Palolo because even if these two schools double their scores this year, they will still be labeled as failures. How can we sit here and support such a law that allows this?

Declaring an entire school a failure using only a single crude instrument – a test – is fundamentally unsound. The Congressional Research Service estimates that 90 percent of the schools in the nation will fail. I again say that in four years, nearly all schools in Hawaii will be labeled as failures by this federal law.

How will children react to being labeled as "failures?" In testimony presented before our committee, a student from Moanalua High School said that her principal predicts that her school will fail within six to seven years. Moanalua High School on numerous accounts has been touted as one of our successful schools. "To think that we may become a failing school is very disturbing," she said.

So I again ask: How will children, children living in our districts, and how will you as lawmakers react when our schools are labeled as "failures?"

We have some serious issues facing education in Hawaii. Without getting into too much more detail, I will end with a quote from an excellent principal in one of our elementary schools.

She says: "NCLB purports to be about caring about students, but I see it as about punishing schools and I very much resent the illogic that went into this legislation."

"If we can't help the U.S. Department of Education and the President understand that there is something fundamentally wrong with the premise of the NCLB law, then the option may be to refuse the money," she concludes.

NCLB will put the challenges we faced with Felix to shame.

I urge all of you to visit the schools in your district. I urge you to talk to the principals and educators in these schools. I urge you to understand the details of this unfunded federal mandate. I urge you to support these resolutions.

I apologize for spending so much time on this issue, but at the end of the day, it's about the children in the classroom who are ready to learn. To call these children failures is nothing short of criminal.

"Finally, I have included an article from the *Washington Post*. This article provides some insight into the decision-making process of the past and how people close to the Bush Administration may have benefited from the passage of NCLB."

"Key Initiative Of 'No Child' Under Federal Investigation
Officials Profited From Reading First Program
By Amit R. Paley
Washington Post Staff Writer
Saturday, April 21, 2007; A01

The Justice Department is conducting a probe of a $6 billion reading initiative at the center of President Bush's No Child Left Behind law, another blow to a program besieged by allegations of financial conflicts of interest and cronyism, people familiar with the matter said yesterday.

The disclosure came as a congressional hearing revealed how people implementing the $1 billion-a-year Reading First program made at least $1 million off textbooks and tests toward which the federal government steered states.

"That sounds like a criminal enterprise to me," said Rep. George Miller (D-Calif.), chairman of the House education committee, which held a five-hour investigative hearing. "You don't get to override the law," he angrily told a panel of Reading First officials. "But the fact of the matter is that you did."

The Education Department's inspector general, John P. Higgins Jr., said he has made several referrals to the Justice Department about the five-year-old program, which provides grants to improve reading for children in kindergarten through third grade.

Higgins declined to offer more specifics, but Christopher J. Doherty, former director of Reading First, said in an interview that he was questioned by Justice officials in November. The civil division of the U.S. attorney's office for the District, which can bring criminal charges, is reviewing the matter.

Doherty, one of the two Education Department employees who oversaw the initiative, acknowledged yesterday that his wife had worked for a decade as a paid consultant for a reading program, Direct Instruction, that investigators said he improperly tried to force schools to use. He repeatedly failed to disclose the conflict on financial disclosure forms.

"I'm very proud of this program and my role in this program," Doherty said in the interview. "I think it's been implemented in accordance with the law."

The management of Reading First has come under attacks from members of both parties. Federal investigators say program officials improperly forced states to use certain tests and textbooks created by those officials.

One official, Roland H. Good III, said his company made $1.3 million off a reading test, known as DIBELS, that was endorsed by a Reading First evaluation panel he sat on. Good, who owns half the company, Dynamic Measurement Group, told the committee that he donated royalties from the product to the University of Oregon, where he is an associate professor.

Two former University of Oregon researchers on the panel, Edward J. Kame'enui and Deborah C. Simmons, said they received about $150,000 in royalties last year for a program that is now packaged with DIBELS. They testified that they received smaller royalties in previous years for the program, Scott Foresman Early Reading Intervention, and did not know it was being sold with DIBELS.

Members of the panel said they recused themselves from voting on their own products but did assess their competitors. Of 24 tests approved by the committee, seven were tied to members of the panel.

"I regret the perception of conflicts of interest," said Kame'enui, former chairman of the committee, who now works at the department as commissioner of the National Center for Special Education Research. "But there was no real conflict of interest being engaged in."

The intricate financial connections between Reading First products and program officials extend beyond issues the committee explored yesterday.

Another researcher, Sharon Vaughn, worked with Kame'enui, Simmons and Good to design Voyager Universal Literacy, a program that Reading First officials urged states to use. Vaughn was director of a center at the Univesity of Texas that was hired to provide states advice on selecting Reading First tests and books.

The publisher of that product, Voyager Expanded Learning, was founded and run by Randy Best, a major Bush campaign contributor, who sold the company in 2005 for more than $350 million. Now Best runs Higher Ed Holdings, a company that develops colleges of education, where former education secretary Roderick R. Paige is a senior adviser and G. Reid Lyon, Bush's former reading adviser, is an executive vice president.

"I'm very disappointed and saddened by the information that was provided at the hearing today," said Lyon, who had been a strong defender of Reading First, which he said had nothing to do with his new job. "The issues appear much more serious than I had been led to understand."

Despite the controversy surrounding Reading First's management, the percentage of students in the program who are proficient on fluency tests has risen about 15 percent, Education Department officials said. School districts across the country praise the program.

Members of both parties continue to support the goals of Reading First even as they attack its management. Miller and Senate education committee Chairman Edward M. Kennedy (D-Mass.) joined Republicans yesterday in pledging to tighten restrictions on conflicts of interest in No Child Left Behind.

Education Secretary Margaret Spellings, who declined to comment yesterday, has said management problems with Reading First "reflect individual mistakes." But Doherty said nearly every aspect of the program was carefully monitored by the department and the White House, where Spelling was Bush's top education adviser.

"This program was always firmly under the watch and control of the highest levels of the government," Doherty said."

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Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker, in support of the Resolution. As you know, Mr. Speaker, I am in favor of repealing No Child Left Behind, but as the previous speaker said, that will not probably happen. It's up for reauthorization right now.

"If anyone has had the opportunity to read the No Child Left Behind Act, it was over 1,400 pages. It kind of reminds me of a badly written Russian novel. It's long, boring and in the end everybody dies. Just like with No Child Left Behind. In the end, the vast majority of schools in this country will not make AYP. And any policymaker that's worth anything will look in the mirror and say, 'Boy, should we pass a law that the vast majority of the very people, in this case, schools, that this is supposed to help are not going to make it?' You might want to reflect upon that and think of another law or at least amend the current law to help more schools succeed."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Any policy that is ever passed by any body always can be improved. Obviously, No Child Left Behind can be improved, but the option of throwing out the baby out with the bath, I think we have to stop there because I think we're in trouble as a country. Educationally we are slipping. We are fourteenth in math and science. We are becoming a Third World country in terms of our educational plan.

"What No Child Left Behind in its thrust was to get monitoring and accountability and raising the level up of who we are as a country. Because we were doing kind of 'Swiss cheese' approach. Everybody was doing higher or lower etc. And being that democracy is self-correcting, I think this is a process by which we are going through. But always being mindful that some of the greatness of America is education is the great equalizer. If we don't raise our standards, those people who are raised by education are going to be hurt by this.

"So for that sake, let's change it but let's not throw it out or think that there is a way that we can do it on our own. I don't think we see the global educational wave tsunami that's coming. I don't think we see the scores that are going exceptionally high in Third World countries and we are either level or lower. Mr. Speaker, there is a clear and present danger educationally for this country and I think this Resolutions says we can make it better. Well, let's not be fearful of making it better."

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support. During the campaign, many people approached me about this issue. And I agree with the previous speakers who talk about trying to hold accountability and some kind of transparency and trying to get kids to achieve better. But I think we found that answer in the Charter Schools and the experiential learning that the Governor's been proposing through her STEM initiative as well. That type of learning is exciting. It gets people and kids engaged. And it makes them want to learn.

"Unfortunately, the No Child Left Behind as it's been implemented has become a rote learning to take a test. And it's taken up way too much time of the teachers and it punishes them for not being able to make that test. It's just the wrong way to go. It's been proven so far. So let's go the new way that's exciting and really gets kids to like learning."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations, and asked that the remarks of Representatives Finnegan and Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 57, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AMENDMENTS TO THE NO CHILD LEFT BEHIND ACT OF 2001," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Takumi and Magaoay, for the Committee on Education and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2100) recommending that S.C.R. No. 74, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 74, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL, PROGRAM, AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 2101) recommending that S.C.R. No. 32, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY THE IMPACT OF CIGARETTE FIRE SAFETY STANDARDS ESTABLISHED IN OTHER STATES," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 2102) recommending that S.C.R. No. 39, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 39, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ENACTMENT OF THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION THAT PROVIDES FEDERAL VETERANS BENEFITS AND SERVICES TO FILIPINO WORLD WAR II VETERANS," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2103) recommending that S.C.R. No. 41, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 41, HD 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY OPPOSING THE FEE INCREASES PROPOSED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2104) recommending that S.C.R. No. 69, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REMOVE DESIGNATED BUILDINGS AT KALIHI VALLEY HOMES SCHEDULED FOR DEMOLITION," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2105) recommending that S.C.R. No. 166, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 166, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A TEMPORARY LOCATION FOR THE MANOA PUBLIC LIBRARY TO ACCOMMODATE THE COMMUNITY AND STUDENTS DURING THE LIBRARY'S TWO-YEAR CLOSURE," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2106) recommending that S.C.R. No. 115, SD 1, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 115, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO REDRAFT THE CAPITAL GOODS EXCISE TAX CREDIT TO REMEDY OLD REFERENCES TO REPEALED LAW AND TO INCORPORATE THE CURRENT STATUS OF THE INTERNAL REVENUE CODE," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 2107) recommending that S.C.R. No. 33, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 33, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RE-EVALUATE THE MEDICARE FORMULA FOR COMPUTING PAYMENTS TO DOCTORS OR TAKE OTHER MEASURES TO AVERT FUTURE REDUCTIONS IN PAYMENTS FOR SERVICES," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 2108) recommending that S.C.R. No. 202, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW THE STATE'S VACCINATION REQUIREMENTS AND DETERMINE WHETHER VACCINATION FOR PNEUMOCOCCAL DISEASE FOR CHILDREN ENTERING CHILD CARE SHOULD BE ADDED TO THE CURRENT LIST OF REQUIRED VACCINATIONS," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2109) recommending that S.C.R. No. 198, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO EXAMINE THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED FOR LONG TERM CARE AND TO PROPOSE SOLUTIONS," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2110) recommending that S.C.R. No. 217, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 217, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO INCREASE THE MEDICARE REIMBURSEMENT RATES FOR HAWAII," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2111) recommending that S.C.R. No. 102, SD 1, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 102, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES AND STUDY THE EFFECTIVENESS OF THE ADMINISTRATIVE RULES RELATING TO INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR HAWAII-GROWN COFFEE," was adopted, with Representatives Cabanilla and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 2112) recommending that S.C.R. No. 98, SD 1, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 98, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF PERSONS WHO APPREHEND BAIL FUGITIVES," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Green and Herkes, for the Committee on Health and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2113) recommending that S.C.R. No. 209, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that S.C.R. No. 209, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. No. 2113, with reservations. And only just reservations in regards to this particular measure that in Committee we discussed this in HSCR and one of the things that we changed both for the HCR and HR was the name of this medical system.

"I don't think it's good practice and form for us in the legislative body to be passing any type of measure like this with the specific name of a proprietary piece of equipment in there, although I do support this particular system. And I just point this out and hopefully the Senate will consider a Conference Committee on this and we can fix that."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 209, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR USE OF THE LG1 INTELLIGENT MEDICAL VIGILANCE SYSTEM," was adopted, with Representatives Cabanilla and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2114) recommending that S.C.R. No. 48, SD 1, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that S.C.R. No. 48, SD 1, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

At 12:23 o'clock p.m., Representative Mizuno requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

Representative Caldwell moved to amend S.C.R. No. 48, SD 1, HD 1, stating:

"Mr. Speaker, I move to amend Senate Concurrent Resolution No. 48, SD 1, HD 1, by amending the third Be it Resolved paragraph found on page two of the Resolution by replacing "2008" with "2010". That's the motion, Mr. Speaker."

Representative Mizuno then seconded the motion.

Representative Mizuno rose in support of the proposed floor amendment, stating:

"Members, during a hearing we had agreed on putting the date 2010, instead of 2008. Unfortunately we didn't pick it up on the Committee Report, so the correct date is actually 2010. Thank you."

The motion that Floor Amendment No. 12, amending S.C.R. No. 48, SD 1, HD 1, entitled: " SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF THE HAWAII DISABILITIES RIGHTS CENTER," be adopted, was put to vote by the Chair and carried, with Representatives Cabanilla and Takamine being excused.

The Chair then stated:

"The amendment from "2008" to "2010" will be taken into Conference."

(Main Motion)

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Bertram rose to speak in support of the measure with reservations, stating:

"Yes, on Stand. Com. Rep. No. 2114 with reservations. I'm glad they made the change. That was what got my vote in the Committee. But I do agree with the people who are opposed to this. This is just something that's between two agencies and I hate seeing the Legislature getting involved with that. So I'm hoping that by 2010 it's all resolved. Thank you."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.C.R. No. 48, SD 1, HD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF THE HAWAII DISABILITIES RIGHTS CENTER," was adopted with Representatives Belatti, Brower and McKelvey voting no, and with Representatives Cabanilla and Takamine being excused.

S.C.R. No. 48, SD 1, HD 2, was adopted in the following form:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF THE HAWAII DISABILITIES RIGHTS CENTER.

WHEREAS, the Hawaii Disabilities Rights Center (Center) is the designated agency under section 333F-8.5, Hawaii Revised Statutes (HRS), to provide advocacy services to persons with developmental disabilities or mental illness; and

WHEREAS, a designation of an agency such as the Center is a prerequisite for the State to receive federal funds; and

WHEREAS, Congress created a nationwide protection and advocacy system for individuals with developmental disabilities under the Developmental Disabilities Assistance and Bill of Rights Act, as amended, to aid individuals with developmental disabilities or mental illness and their families so that they may gain access to appropriate support and services; and

WHEREAS, the Center has access to records of any person with developmental disabilities or mental illness, to the extent required by federal law, as provided in section 333F-8.5, HRS; and

WHEREAS, the Department of Health has jurisdiction over state funding for the Center and has the responsibility for the performance of the Center; and

WHEREAS, concerns have been raised about the Center's abilities to fulfill its mission, particularly since it also receives state funding; and

WHEREAS, the Center has never been audited by the Auditor; and

WHEREAS, a complete financial and program audit of the Center is warranted to protect its vulnerable clientele; and

WHEREAS, the current litigation pending in the United States District Court for the District of Hawaii between the Center and the Opportunities for the Retarded, Inc. raises issues about the Center; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, the House of Representatives concurring, that the Auditor is requested to conduct a financial and program audit of the Center and that the parties to the litigation between the Center and Opportunities for the Retarded, Inc. are urged to amicably settle the pending litigation; and

BE IT FURTHER RESOLVED that the Auditor also investigate whether the Center:

(1) Is fulfilling its mission in a proper, objective, and effective manner, including an evaluation of how the Center exerts its authority over an organization, subject to the Center's purview;

(2) Is abusing its authority over its access to records of persons with developmental disabilities or mental illness;

(3) Has in place appropriate grievance procedures and alternative remedies to litigation for agencies over which it has jurisdiction; and

(4) Is being appropriately overseen by any state or federal authority, and the scope of such authority;

and

BE IT FURTHER RESOLVED that the Auditor report its findings and recommendations to the Legislature no later than 20 days prior to the convening of the Regular Session of 2010; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Hawaii Disabilities Rights Center and the Director of Health."

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2115), recommending that S.C.R. No. 160, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 160, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE REGULATION OF ENTITIES GOVERNED BY CHAPTER 514A OR 514B, HAWAII REVISED STATUTES, AND THE ENFORCEMENT OF POLICIES RELATING TO CONDOMINIUMS IN THE STATE THROUGH THE CREATION OF A CONDOMINIUM COMMISSION," was referred to the Committee on Legislative Management with Representatives Cabanilla and Takamine being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 2116), recommending that S.C.R. No. 68, SD 1, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 68, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON PUBLIC CONTRACTS," was referred to the Committee on Finance with Representatives Cabanilla and Takamine being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 2117), recommending that S.C.R. No. 178, be referred jointly to the Committee on Finance and the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS ON PUBLIC EMPLOYEES AND EMPLOYERS AND TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO EXTEND ACT 245, SESSION LAWS OF HAWAII 2005," was referred jointly to the Committee on Finance and the Committee on Legislative Management with Representatives Cabanilla and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 2118), recommending that S.C.R. No. 199, SD 1, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 199, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPAND AND EXTEND ITS CURRENT LAND LEASE WITH LEAHI HOSPITAL TO FACILITATE CAMPUS-WIDE MASTER PLANNING AND LONG TERM DEVELOPMENT OF GERIATRIC AND LONG-TERM HEALTH CARE SERVICES," was referred to the Committee on Higher Education with Representatives Cabanilla and Takamine being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 2119), recommending that S.C.R. No. 197, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 197, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," was referred to the Committee on Finance with Representatives Cabanilla and Takamine being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 2120), recommending that S.C.R. No. 213, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.C.R. No. 213, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, breast cancer is the most common cancer among American women and cervical cancer is the second most common cancer among women worldwide. These cancers are more deadly among low-income groups because they are less likely to have access to routine screenings. We all know that screening and early detection can be the difference between life and death. Through the Hawaii Breast and Cervical Cancer Control Program (HBCCCP), the Department of Health screens populations disproportionately affected by cervical cancer. Since its inception, DOH reports that "approximately 5,000 women have been screened; 126 breast cancers diagnosed and 90 pre-cancerous or cancerous conditions of the cervix diagnosed." Without HBCCCP, these cancers would have most likely been undetected and these women would probably have lost their lives.

"Unfortunately, this program is only funded through federal moneys which might begin to decrease in the future. This Resolution requests the Governor to establish a program to provide coverage of cancer screening for women fifty to sixty-four years of age who are low-income or have no or insufficient health insurance. Screening and early detection work and I urge my colleagues to vote in favor of this Resolution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 213, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was referred to the Committee on Finance with Representatives Cabanilla and Takamine being excused.

Representatives Green and Herkes, for the Committee on Health and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 2121), recommending that S.C.R. No. 212, SD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 212, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS WORKFORCE DEVELOPMENT COUNCIL TO CONVENE A TEMPORARY TASK FORCE TO EXAMINE STRATEGIES, OTHER THAN THOSE HAVING TO DO WITH MEDICAL MALPRACTICE LIABILITY AND INSURANCE PREMIUMS, THAT MAY PREVENT THE EXODUS OF PHYSICIANS FROM THE STATE," was referred to the Committee on Finance with Representatives Cabanilla and Takamine being excused.

At this time, the Chair announced:

"Members, please note the 48-hr notice for Conference Committee Reports No. 1 to 3 as listed on page of the Order of the Day. These will be taken up on Wednesday."

CONFERENCE COMMITTEE REPORTS

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1529, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 1529, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and S.B. No. 1529, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred for a period of 48 hours.

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1709, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 1709, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and S.B. No. 1709, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," was deferred for a period of 48 hours.

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 946, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 946, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and S.B. No. 946, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," was deferred for a period of 48 hours.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Chang introduced Mr. Michael Gleason of the Arc of Hilo, and Mr. Walter Carvalho of the Central Pacific Youth Athletic Club.

ADJOURNMENT

At 12:36 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 24, 2007. (Representatives Cabanilla and Takamine were excused.)

HOUSE COMMUNICATION

House Communication dated April 23, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 639, HD 2, SD 1	Representative M. Oshiro replaced Representative Carroll as Co-Chair. Added Representative Carroll as a member.

House Communication dated April 23, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 1292, HD 1, SD 2	Added Representative Souki as a member.

FIFTY-FIFTH DAY

Tuesday, April 24, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Vice Speaker Jon Riki Karamatsu, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, M. Oshiro and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fourth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 352 through 355) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 352, informing the House that on April 23, 2007, the following bill was signed into law:

S.B. No. 1459, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES." (ACT 032)

Gov. Msg. No. 353, informing the House that on April 23, 2007, the following bill was signed into law:

S.B. No. 1444, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURPOSE OF THE HAWAII YOUTH CORRECTIONAL FACILITY." (ACT 033)

Gov. Msg. No. 354, informing the House that on April 23, 2007, the following bill was signed into law:

S.B. No. 1092, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 034)

Gov. Msg. No. 355, informing the House that on April 23, 2007, the following bill was signed into law:

H.B. No. 528, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS." (ACT 035)

The following message from the Governor (Gov. Msg. No. 356) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 356, transmitting S.B. No. 1956, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 23, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1956

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1956, entitled "A Bill for an Act Relating to the Agreement Among the States to Elect the President by National Popular Vote."

The purpose of this bill is to add a new chapter to the Hawaii Revised Statutes that will cause Hawaii to join an interstate compact or agreement among the member states to award their electoral votes to the national popular vote winner regardless of the popular vote winner in each member state.

Under this bill, Hawaii's four electoral votes would be awarded to the presidential slate that receives the most votes as determined by the national popular vote regardless of which candidates won the popular vote in Hawaii. Given the potential under the interstate compact that Hawaii's electoral votes would be awarded in a manner that may not reflect the will of the majority of the voters in Hawaii, I believe that this bill is not in the best interest of the citizens of the State of Hawaii.

For the foregoing reasons, I am returning Senate Bill No. 1956 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 841 and 850) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 841, dated April 23, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 895, HD 2, SD 1	Senator Tsutsui added as conferee.

Sen. Com. No. 842, transmitting H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION DAY," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 843, transmitting H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROCLAIM THE LAST WEEK IN JULY OF EACH YEAR AS CONSERVATION WEEK," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 844, transmitting H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT H.R. 1287 AND S. 671 RELATING TO FILIPINO FAMILY REUNIFICATION, OR SIMILAR LEGISLATION, TO PROVIDE PRIORITY ISSUANCE OF VISAS TO FILIPINO VETERANS' CHILDREN WITH APPROVED IMMIGRATION PETITIONS," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 845, transmitting H.C.R. No. 231, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO ADDRESS CONCERNS REGARDING THE INSPECTION OF PLANTS AND PRODUCTS FROM FOREIGN COUNTRIES TO PREVENT INVASIVE SPECIES FROM ENTERING THE STATE," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 846, transmitting H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND SUPPORTING THE NOMINATION AND DESIGNATION OF THE NORTHWESTERN HAWAIIAN ISLANDS MARINE

NATIONAL MONUMENT, PAPAHANAUMOKUAKEA, AS A WORLD HERITAGE SITE," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 847, transmitting H.C.R. No. 58, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL BRANCHES OF THE UNITED STATES GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE IN FEDERAL WATERS IN THE VICINITY OF THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 848, transmitting H.C.R. No. 129, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CENTER FOR PACIFIC ISLAND STUDIES AT THE UNIVERSITY OF HAWAIʻI AT MANOA TO ESTABLISH A TASK FORCE TO IDENTIFY AND ADDRESS THE NEEDS OF PACIFIC ISLANDERS IN HAWAIʻI," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 849, transmitting H.C.R. No. 170, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," which was adopted by the Senate on April 23, 2007.

Sen. Com. No. 850, transmitting H.C.R. No. 292, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE NUUANU-LILIHA CORRIDOR AS THE NUUANU-LILIHA HISTORIC CORRIDOR," which was adopted by the Senate on April 23, 2007.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Magaoay introduced the adult students of the Even Start Family Program at Wheeler Elementary School, and their teachers, Ms. Joy Matsukawa and Ms. Leslie Shimokawa.

Representative Ward introduced his constituent and member of the Hawaii Bar, Ms. Adrienne King.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 2122) recommending that S.C.R. No. 193, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 193, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in opposition to the measure, stating:

"Mr. Speaker, I stand in strong opposition. While I support my friends in agriculture, we must take heed of the call for sustainability. Livestock, historically, was responsible for the destruction of our native forest, and they continue to use more land and water than is sustainable. Methane released from cows is a major cause of greenhouse gas and meat consumption is a major cause of disease and obesity. For those reasons we really need to rethink our agricultural policies and really see how we can actually disincentivise livestock raising and move towards the real food that we need that's sustainable. Thank you."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support of S.C.R. 193, S.D. 1. Actually, on the Big Island, Parker Ranch, they've been raising cattle for many, many years. It's not known by many people, but during the Second World War, Hawaii cowboys were responsible for many, many, many pounds of beef going to the mainland. They helped to feed Americans when many things were being rationed. We were doing our part and I think that we should try to help and see that our cattlemen and farmers can compete and stay in business. Thank you, Mr. Speaker."

Representative Takai rose, stating:

"Thank you, Mr. Speaker. A point of parliamentary inquiry. Thank you. I believe that the Second Crossover for Concurrent Resolutions was yesterday."

The Chair responded, stating:

"Representative Takai, I believe you are out of order. This particular Senate Concurrent Resolution was not amended. It is a Senate Draft which is in its original form."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 193, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO LEGISLATE A REDUCTION IN FEDERALLY REGULATED FEES OR AN EXEMPTION FROM FEDERAL STATUTES FOR TRANSPORTATION COSTS FOR LIVESTOCK FEED TO HAWAII," was adopted, with Representative Bertram voting no, and with Representatives Cabanilla, M. Oshiro and Takamine being excused.

Representatives Tsuji and Magaoay, for the Committee on Agriculture and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2123) recommending that S.C.R. No. 176, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE'S OPERATION OF THE MOLOKAI IRRIGATION SYSTEM," was adopted, with Representatives Cabanilla, M. Oshiro and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 2124) recommending that S.C.R. No. 31, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 31, SD 1, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE CREATION OF A NATIONAL IDENTIFICATION CARD AND THE IMPLEMENTATION OF THE REAL ID ACT OF 2005," was adopted, with Representatives Cabanilla, M. Oshiro and Takamine being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 2125) recommending that S.C.R. No. 175, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 175, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO MONITOR THE COLLECTION OF CRIME VICTIM

COMPENSATION FEES," was adopted, with Representatives Cabanilla, M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2126) recommending that S.C.R. No. 53, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 53, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE USE OF COMPACT FLUORESCENT LIGHT BULBS," was adopted, with Representatives Cabanilla, M. Oshiro and Takamine being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2127) recommending that S.C.R. No. 164, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM CONDUCT A STUDY TO CREATE A ONE-STOP PERMIT SHOP FOR RENEWABLE ENERGY PROJECTS," was adopted, with Representatives Cabanilla, M. Oshiro and Takamine being excused.

Representatives Green and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 2128), recommending that S.C.R. No. 37, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN DONATION IN THE STATE OF HAWAII," was referred to the Committee on Finance with Representatives Cabanilla, and M. Oshiro being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 2129), recommending that S.C.R. No. 118, SD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 118, SD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm casting a no vote on Standing Committee Report 2129. Mr. Speaker, what this measure does is it requests the United States Environmental Protection Agency and the State Department of Health to pursue a global settlement of the wastewater issues. What it also does, Mr. Speaker, is undercuts a lawsuit that has been brought by the Sierra Club. The matter is in the courts now and I believe that that's the proper place for it to proceed. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I stand with reservations and possibly a no vote. Being in the Finance Committee, it's being referred to Finance, I will wait until then. But I just have some doubts as to the exemption that we may be asking for because we are the center of 7.5 million tourists. We know that our environment is our economy, and our economy is our environment. I'm not sure that if the attempt to get an exemption gets out, that it's going to be very good for us, but not only from that point of view, but from the general health of our people, our swimmers, our surfers. Thank you, Mr. Speaker."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict of interest. At my law firm, I'm representing the citizen plaintiffs that are suing the City for the sewage discharges, including this 301H violation," and the Chair ruled "no conflict."

Representative B. Oshiro then asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with reservations. I don't think that we should be encouraging the EPA to renew the waiver. I think we have probably the only waiver. We have all kinds of states that are treating their sewage to a secondary level, and I think we have to do that. I'm not interested in seeing the City pay huge fines, but I think rather than the City fighting, and I'm not sure that this Resolution goes into all of that, but there is a way to settle with the EPA by making these improvements over time where the money doesn't have to be spent all at once, but move in the right direction to secondary treatment. Thank you."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 118, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND STATE OF HAWAII DEPARTMENT OF HEALTH TO PURSUE A GLOBAL SETTLEMENT OF OUTSTANDING WASTEWATER ISSUES WITH THE CITY AND COUNTY OF HONOLULU, AND URGING THE ENVIRONMENTAL PROTECTION AGENCY TO RENEW THE 301(H) WAIVERS FOR THE HONOULIULI AND SAND ISLAND WASTEWATER TREATMENT PLANTS," was referred to the Committee on Finance with Representatives Ching, Finnegan, B. Oshiro and Thielen voting no, and with Representatives Cabanilla, and M. Oshiro being excused.

At 12:19 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the

purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Cabanilla and M. Oshiro were excused.)

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2130) recommending that S.B. No. 249, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 249, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON FATHERHOOD," passed Third Reading by a vote of 49 ayes, with Representatives Cabanilla and M. Oshiro being excused.

At 12:21 o'clock p.m., the Chair noted that S.B. No. 249 passed Third Reading.

CONFERENCE COMMITTEE REPORTS

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1528, HD 1, presented a report (Conf. Com. Rep. No. 4) recommending that S.B. No. 1528, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and S.B. No. 1528, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred for a period of 48 hours.

Representative Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1704, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 5) recommending that S.B. No. 1704, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and S.B. No. 1704, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

Representatives Sonson and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1379, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 51) recommending that H.B. No. 1379, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and H.B. No. 1379, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:21 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 25, 2007. (Representatives Cabanilla and M. Oshiro were excused.)

FIFTY-SIXTH DAY

Wednesday, April 25, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Doctor John Heidel of Interfaith Hawaii Alliance, after which the Roll was called showing all members present with the exception of Representatives M. Oshiro, Takamine and Takumi, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 357 through 359) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 357, informing the House that on April 24, 2007, the following bill was signed into law, stating:

"Dear Mr. Speaker and Members of the House:

HB659 HD2 was enrolled to me on April 12, 2007. During the legislative process, the bill's effective date was amended from "upon approval" to January 1, 2025.

The purpose of HB659 is to recognize the importance of taro in Hawaii's heritage by designating the kalo plant as the official State plant. I agree that kalo should be designated as Hawaii's state plant and to preclude the necessity of having those who gave their time and effort to assure this bill's passage return next year to testify on a brand new bill, I am approving this measure.

I urge the Legislature to send me a bill next session correcting the effective date of Act 36.

Therefore, this is to inform you that on April 24, 2007, the following bill was signed into law:

HB659 HD2 A BILL FOR AN ACT RELATING TO TARO. (ACT 036)

Sincerely,
/s/
LINDA LINGLE"

Gov. Msg. No. 358, informing the House that on April 24, 2007, the following bill was signed into law:

H.B. No. 1095, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING." (ACT 037)

Gov. Msg. No. 359, informing the House that on April 24, 2007, the following bill was signed into law:

S.B. No. 53, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS." (ACT 038)

The following messages from the Governor (Gov. Msg. Nos. 360 and 361) were announced by the Clerk and were received for possible consideration at a later date:

Gov. Msg. No. 360, transmitting H.B. No. 863, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 24, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 863

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 863, entitled "A Bill for an Act Relating to Public Work Projects."

The purpose of this bill is to mandate that a private construction project will be considered a public work project subject to chapter 104, Hawaii Revised Statutes, Hawaii's Wages and Hours of Employees on Public Works law, if the State or a political subdivision leases or is assigned more than fifty percent of the project. Copies of the lease agreement must be filed with the Department of Accounting and General Services and the Department of Labor and Industrial Relations.

Additionally, this bill requires the construction project owner submit weekly certified payrolls to the leasing governmental agency or the governmental agency using the leased or assigned space which, for the purposes of chapter 104, shall be deemed the governmental contracting agency.

Finally, this bill requires that prior to the start of construction, the construction project owner sign an agreement with the leasing governmental entity agreeing to pay the prevailing wage to the laborers and mechanics working on this project and to otherwise comply with the requirements of chapter 104.

This bill is objectionable because it is an unwarranted expansion of the types of projects that could be subject to public works projects rules and statutes. Currently, section 12-22-1 of the Hawaii Administrative Rules defines a public work to encompass a private construction project when the State or a political subdivision leases the entire building or structure and where: (1) the lease was entered into prior to construction of the structure or building; and (2) the construction work was performed according to plans, specifications, or criteria of the leasing governmental entity.

Expanding public works coverage to mixed public-private structures may inject confusion and needlessly increase the associated building costs of a private construction project. Smaller owners in particular may not want to develop commercial space for lease to the government because of the additional burden of complying with unfamiliar labor laws. It is anticipated that this bill will also probably limit or reduce the number of office buildings that will be available for lease to government agencies. This bill may likewise impede the development of mixed use housing projects, wherein some of the units were for market sale or rental and others were leased to a public housing corporation for elderly, Section 8, or transitional housing.

Finally, because this bill directs that certified payrolls be submitted to either the governmental leasing entity or the governmental agency accepting the construction project and not to the Department of Labor and Industrial Relations, this data will go to entities that have no authority to audit or enforce these payrolls, thereby inhibiting the enforcement of wage laws this bill attempts to impose on private projects.

For the foregoing reasons, I am returning House Bill No. 863 without my approval.

Respectfully,

/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 361, transmitting S.B. No. 1642, SD 1, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 24, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1642

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1642, entitled "A Bill for an Act Relating to Labor."

The reported purpose of Senate Bill No. 1642 is to establish clear distinctions between mandatory, excluded, and permissive subjects of collective bargaining by (1) allowing negotiations over the procedures and criteria on promotions, transfers, assignments, demotions, discharges, or other disciplinary actions and (2) subjecting violations of negotiated and agreed upon procedures and criteria to the grievance procedure contained in a collective bargaining agreement.

Rather than providing clarity, this bill would blur the delineation provided by existing law between matters that are subject to collective bargaining and matters that have been excluded from collective bargaining; including certain "management rights" such as determining criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, termination, discharge or other disciplinary actions.

This bill is objectionable because it constitutes an unacceptable infringement upon management rights currently protected under section 89-9(d), Hawaii Revised Statutes. It attempts to overturn the case of United Public Workers, AFSCME, Local 646, AFL-CIO v. Hanneman [sic], 106 Hawaii 359 (2005), the Supreme Court of Hawaii case that held that the City and County of Honolulu's decision to transfer refuse workers from the Pearl City baseyard to the Honolulu baseyard was not subject to collective bargaining. The Hanneman [sic] case reaffirmed management rights as set forth in section 89-9(d).

This bill erodes management rights and, by allowing negotiations on the criteria management uses to act on matters such as layoffs, transfers, and assignments, it involves labor in the fundamental decision-making process of management. In permitting negotiations over assignments, this bill would adversely impact the employer's ability to make assignments of specific employees and groups of employees and hinder the delivery of services to the public.

This bill does not achieve its reported purpose, and only obfuscates the clear distinctions that currently exist between management rights and items that may be negotiable under collective bargaining. The provision added to section 89-9(d) by the bill stating that section 89-9(d) shall not be used to invalidate provisions of collective bargaining agreements in effect on and after June 30, 2007, could be interpreted to mean that the areas specifically excluded from collective bargaining pursuant to section 89-9(d) and the Hanneman [sic] case may be subject to negotiations by the parties to a collective bargaining agreement.

For the foregoing reasons, I am returning Senate Bill No. 1642 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 851) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 851, dated April 24, 2007, informing the House that the Senate has, on April 23, 2007, reconsidered its action taken on April 12, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 1947, SD 1, HD 1 — "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar. (Representative Takamine was excused.)

At 12:11 o'clock p.m., Representative Ward requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1 and S.B. No.1529, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1529, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Final Reading by a vote of 50 ayes, and with Representative Takamine being excused.

Conf. Com. Rep. No. 2 and S.B. No.1709, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1709, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Final Reading by a vote of 50 ayes, and with Representative Takamine being excused.

Conf. Com. Rep. No. 3 and S.B. No.946, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 946, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'll try to keep this short. I am in opposition to Conference Committee Report No. 3. Mr. Speaker, I am being very consistent with my prior votes and being able to speak

on the Floor on this particular issue. What this issue does is it permits drivers whose license has been administratively revoked for life to seek reinstatement of their license after ten years have passed since the lifetime revocation.

"It is with sadness that I actually am voting no and against this measure. The message is not, for me, in voting no saying that people cannot recover from alcoholism or drug abuse; that people shouldn't be forgiven for their actions that they have done against people or society prior in their lives. I believe very much that people can recover from that and be forgiven for those types of things. What I'm against, Mr. Speaker, is that if you have something like a lifetime revocation, that it is government saying that there are consequences to driving drunk. This is not a mistake. These aren't mistakes when you go out there and you accidentally drive a little bit tipsy after having a couple drinks, and you get caught one time and, boom. You have your license revoked. This is about having your license revoked after being caught at least four times.

"So what does that mean? When somebody drives drunk, every single time that they drive drunk they get caught? No. It means that the probability of them being out on the streets, driving drunk is more like ten, twenty, thirty, maybe forty times before they get caught and have a lifetime revocation.

"Mr. Speaker, there are consequences and I believe that we should stick to them. Life is tough. We talk about one part of the bill where it says you have to have a certification from a substance abuse counselor. At any one particular time after ten years of being sober, and I've talked about this before as well. Alcoholism, from almost everyone that I spoke to, they say that they are a 'recovering alcoholic'. So what does that mean? That means that the struggle is almost on a daily basis. I can't speak to the truth of that, but I can listen to the people who are recovering who say that. I can also say that it only takes one time. It only takes one time. Maybe a death in the family. Or maybe something that's really tough in their lives. They have the propensity to drink, and drink and drive, and they actually have to resist drinking and not all the time is that easy to do.

"I think the last time we brought this up and we debated on the Floor Mr. Speaker, it was about a pastor. A pastor of a church not being able to shepherd his flock, and my heart bleeds for a situation like that. But we are lawmakers making decisions on behalf of the whole of the State. I don't believe that we should be making or passing a law for one person. And I also don't believe that pastors should be exempt from making mistakes. Like they can't make mistakes. Like once you become a Christian or a believer then, boom you're healed. You're not going to make a mistake. I think coming from the Christian perspective we all know that that isn't true.

"I'm not saying that we should say that pastors should not be given breaks either. But what I am saying is, we're all human and I think that this type of law made for one person shouldn't affect the whole State in a negative way. One of the things that I think is very difficult to accept is after something like this happens, and should someone get killed upon having a lifetime revocation of a driver's license, who is to blame then? Basically, what I think is happening is it becomes our fault. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. Thank you. And I ask that the words of the Minority Leader be entered as my own. Thank you. I think she outlined pretty much my similar concerns, but I guess I did want to also reiterate that when I support or don't support something, I try to think about how would someone else feel? How would it be if I were in their shoes? And I think my conscience tells me that if someone were to have, and this is talking about people who might have four DUIs. If I were the family of the fifth DUI which resulted in injury or death, how would I feel? How would I feel about a lawmaker who allowed this sort of thing to happen?

"And it's real because we do have people who are struck down as a result of a DUI, a person under the influence. And additionally I've had a friend who's had a DUI. And it occurred to me that it was a very serious thing. When this person went through it, I could tell the gravity of the situation of this DUI and all the things. In other words our laws, I think, are very much clear on the importance of a DUI. So to me, someone who would go beyond and not change their behavior after one DUI, this is a different kind of profile of a person.

"And I think that we put our public in harm's way when we allow it, and I reiterate the words of the Minority Leader that I too am not about thinking that people cannot change their lives. I think most people, all people, are capable of that. But again, I reiterate that if I were the fifth, somehow related to the person of the fifth DUI or the next one, I just couldn't sit with myself."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I just wanted to counter some of the characterizations of this bill. One of the characterizations was that this is for one person. And I think that's actually very, very false. One person can often show us that sometimes our laws are too draconian and our laws may need to have some recognition that it went a little too far, well intended as it may have been when it was adopted. And I think this is one of those cases.

"This will not give any one person an automatic right to go back and get their license. What it gives them is the opportunity to prove that they deserve the chance to get that privilege. And that is what we're talking about. Really, it's a fundamental difference as to whether we want to have, as I've said many, many times before, a 'cookie cutter' approach to justice. Is there a 'one size fits all' for every single circumstance? Or are there occasions where we can find a genuine exception, such that someone deserves the right to have that accommodation? I think this is all we're trying to do in this case.

"And I think people really need to take a look at what this is doing because they need to show that they are going to prove that they aren't going to be infringing upon the violations again. And that is something that's very, very crucial. If you look on the bill page three, line number 21, what we're talking about, is the decision of the administration as deemed final. That's it. Too bad. Except that you can go and get judicial review. However, the burden for you to get that overturned is very, very hard. Under 29E-40, you basically have to show that it was arbitrary and capricious, exceeded constitutional or statutory authority, or was an abuse of discretion. All of those standards are very, very high standards to prove.

"So really what we're talking about is you get one chance. After ten years, if you can show that you were clean, you get one chance to go before the administrator to show perhaps you should be able to reapply for a license. And if you can show by a high standard of evidence that you are clean and sober, then you are given that chance. And I think this is all the bill does. It gives a person one chance and that is something that if we don't want to have a 'cookie cutter' approach to justice, it's something we should look at in this bill. Thank you."

Representative Finnegan rose to respond, stating:

"Mr. Speaker, still in opposition. Talking about the 'cookie cutter' approach. If we don't want the 'cookie cutter' approach, then why are we giving them one chance? That's like a cookie cutter approach. Instead of giving them two, or three, or four. We are just saying that we have different ideas on how we approach this subject.

"In regards to lifetime revocation, I'm sure, I'm sure if that person doesn't know the second time they're in court, the third time they're in court, that possibly at the fourth time or beyond that that they could get their license revoked, I believe in the system enough to know that they've been warned that they're going to get their license revoked.

There are many, many, many chances before you get to the fourth time. I'm going to reiterate. Maybe ten, maybe twenty, maybe thirty, maybe forty maybe a hundred times that you can go without very many consequences. This is after four times of being caught driving under the influence of drugs or alcohol.

"Mr. Speaker, still in opposition. I think that there are a lot of chances and sometimes in my personal experience I've seen people who have said you know we've recovered. We've done all of this type of stuff. We've been substance abuse clean and sober. The thing that doesn't sit with me is there's no way to prove that this person is not doing drugs or alcohol. That's the whole mystery part of it, Mr. Speaker. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. You know, it saddens me to hear my colleague who is wearing all white today, looking like an angel, and doesn't realize that this bill is a compassionate bill. This recognizes the fact that we are indeed human and make mistakes. And some of us are parents in this room. And we know that a lot of times children make mistakes. They're humans. And people that drink, they make mistakes. They're human. And how can we say that four or five times is sufficient.

"You know, a wise man posed that question a long time ago, over 2,000 years ago. The question was, how many times shall I forgive? How many times shall I expect this person to do bad things to me? How many times? And the answer is, seventy times seven. That's an example that we should follow. That we should take a look at human frailties including drinking.

"I was a bartender for eight years and people enjoy their drink. It's legal. It has been the job for legislators before us to say that it should be illegal, but it's legal. And then the doctors came forward and stated not only is it legal, it's also a sickness now, when you have a certain condition where you love it so much that it causes you to be reckless and make bad decisions three, four or five times.

"But there are also laws that we created to make people more sensitive to others and say that it's legal all right, but you can't put yourself and other people in danger anymore. Here's a program. We fund programs for these people. We put them in the program to make sure they understand the consequence of their actions, in this case, drinking and driving.

"We stand here today and say that if we weaken this law, or if we take this law and allow a person that indeed can show in proof to the court that they have changed in their ways, that they're able to go on with their lives, make their lives better and other people's lives better, why not allow them this one chance. We should. This is a compassionate bill. Let's think this over. What we're doing here is to ensure that the policy that the State of Hawaii, the policy of this House, is to ensure that we don't close the door on anybody.

"We have other bills that we're looking at. We're considering. And in fact, it comes back over and over, where even murderers, rapists, and other criminals get a second chance. Now, somebody that does something legal which is drinking, consumes something legal which is alcohol, and then breaks a law, in so doing puts himself and others in jeopardy. But now this person is able to prove to himself, to his family and to the court that they have changed and they've become productive in the community, let's give that person a chance also. Thank you, Mr. Speaker."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Mr. Speaker, I want to thank the Committee Chairs who worked on this bill in Conference. It was a pleasant surprise for me to see this bill before us this morning and I really sincerely thank them.

"Before I came down, Mr. Speaker, I did make a telephone call to Pastor Jack Smith of the Church of the Nazarene in Wahiawa. And just to explain for the last time perhaps, just some history on the genesis of this measure. It's been with us for several years now and it did come through one person, that's Pastor Jack Smith. But he brought it to me not so much for his own self, but because there was a associate pastor of the Church of the Nazarene group who had recently lost his wife, and because of that not having a license was unable to attend to his duties, as the Minority Leader stated, to tend to his 'flock'. And so he has been, I believe, clean and sober for thirteen or so years, and we thought that he might deserve a second chance. So that's how this bill came about Mr. Speaker. But the bill before us that came out of the Conference Committee applies to more than just one individual or one occupation. It applies to all people in this State.

"The second point I need to make, Mr. Speaker, is that it depends on where you come from in these kinds of matters. I come from the belief that in some instances, drug abuse in a medical problem. Same for alcohol abuse. A medical problem. It might not always be one of will, but one of genetics or one of even organic deficiencies that cause a person to over-consume and abuse alcohol, or abuse illegal drugs. So that's my perspective, Mr. Speaker.

"A third point, Mr. Speaker, I believe that people can redeem themselves. I think each of us if you look into our own lives can find instances of making wrong choices and wrong decisions. But for people extending us some graces and allowing us a second chance, we might not be where we are today.

"So I think those three points I just want to touch on today Mr. Speaker, and ask that the words of the Majority Floor Leader and the Chair of the Labor Committee be adopted as my own. Thank you."

Representative Green rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I do recognize the need for compassion. There's no question about that and I commend all previous speakers for that position. I just think personally that enough is enough. It's very risky when people drive and drink, and the points are well taken that people deserve many chances to go on with life. I wouldn't want to incarcerate a person after making these mistakes once they've gotten clean, but I just can't possibly go back to some of my friends who have had family members who died at the hands of drunk drivers and tell them that I wasn't going to be extremely stern.

"I just think that possibly if the penalty does stay in the books, and people realize that they'll never be able to drive again, that may prevent a few people from, I guess refusing to go get help, to keep themselves clean. So I just err on the side of wanting people to never ever drive drunk."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker, all behavior has consequences. Clearly it should be. But I think this consequence of a lifetime revocation is extreme. And so I've got my problem with the law itself, which in the context of the bill is seen, because a lifetime revocation is going above and beyond what otherwise could be maybe a ten years revocation. And if somebody killed somebody maybe you wouldn't be eligible for this one. Or if you did a whole series of consequential things that didn't even allow you to be looked at.

"In the Caucus we were talking about this and one colleague said that if you murder somebody, you get out in a few years and we know that recidivism is up to 66%. So these guys or gals are out on the street. Yet those who may have cleaned their life up are not allowed because of a lifetime revocation. So Mr. Speaker, I'd like to

recommend to the Chair of Judiciary if they could look at this law next time around in the 2008 Session, to say that this lifetime revocation is too extreme and that's my reservation."

Representative Souki rose to speak in support of the measure, stating:

"Thank you very much for allowing me to say a few words on this measure. I speak in favor, of course, of this measure. Some of the Members of this very august body seem to be alarmed that they want to lessen a sentence, rather than keep a lifetime sentence. Well, they should be assured that this will not take effect for another year. At that point in time, they'll be developing the rules as to how this program will be administered. Next year we hope to have interlocking devices passed by this body hopefully, and that will be probably incorporated to allow someone to have their license back after a lifetime revocation.

"So if you look at this, as our good Member here had mentioned, we should have compassion. Sometimes when I look at the Members here, and not mention anyone or any Party, they need to develop a little heart inside here. That we're not only here to punish. We're here to rehabilitate. To help. Punishment is one of the items. But not the sole item. And you know how I feel about these lengthy terms. And how I feel about the 'three strikes'. And now we have a lifetime revocation. People who murder get only twenty years. Twenty years or less. They're out in five. Someone who has the misfortune of having a drinking problem gets a lifetime revocation with no reprieve, and yet you don't want to give them any reprieve at all. They should be getting a lifetime. This is the harshest penalty in the State that we have right now. It's even worse than the three strikes. Because it's for a lifetime.

"So all we're asking in this measure is that after a period of ten years, they have an opportunity to get their life back and they must have proven through all those years they've been sober, they've been diligent community people, they need to pass this test, plus they'll probably have an interlocking device in their car, and to give them a chance. Rather than to condemn them for life. And some of you must take pleasure in condemning people for life. Thank you very much Members. Think about having a heart and compassion as a Representative."

Representative Ching rose to respond, stating:

"Thank you so much, Mr. Speaker, and I think this will be my last time standing. Number one, I just wanted to address what I consider an incongruent argument. The incongruence is murder, incarceration, privilege to drive, revocation of license. To me, they're not congruent. And at this point I'd like to adopt the words of the good Representative of Kona, the ER physician. It's not congruent. One, is a right. Driving is not a right. Driving, the last time I checked was a privilege. It's a privilege sometimes we deny to teenagers. Promise to our children, if you don't do this, you're going to take away, can't have the car keys. It is a privilege.

"There are a lot of people who don't drive by choice. I have a lot of friends, one in particular I won't mention who, she's very prominent, and the thing is I always see her coming home, and someone's driving her because she chooses not to drive. There are people who can't drive because of eyesight. There are people who can't drive because of age or infirmity or what have you. Driving is a privilege. Last time I checked when we want to even raise our children, we say, 'three strikes, you're out'. This is four or five times. And as the Minority Leader said, this is the times you were caught. Not the times that you drove drunk. So we're thinking about apples and oranges I think.

"Secondly, they're time bombs. You know, when are we going to learn that? I think my constituents want to see that we protect the public and I think that if you were to poll most people, they feel that our laws our more focused on the perpetrator than the victims. Once again, you talk about those who are victims of the crime, the families and whatnot. When are we going to start to focus on the victims? I think we do a lot for the belief in all that to try to help. You know how hard it is to even get a case to trial. Where's the equity? Thank you."

Representative Finnegan rose to a point of personal privilege, stating:

"Point of personal privilege. Thank you, Mr. Speaker. You know, I totally respect the Chair of Labor, but I am offended that he brought into the language that maybe my outfit, in wearing all white today, is a symbol of being angelic. By no means do I feel like I'm above anyone else, or that I feel like I'm an angel. In fact, I do know that I don't belong to the angel level. I am human and I understand consequences, and I understand compassion, and I feel compassion. I just wanted to make that statement. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 946, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSE REVOCATION," passed Final Reading by a vote of 44 ayes to 6 noes, with Representatives Ching, Finnegan, Green, Pine, Rhoads and Thielen voting no, and with Representative Takamine being excused.

At 12:43 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1529, SD 2, HD 2, CD 1
S.B. No. 1709, SD 1, HD 2, CD 1
S.B. No. 946, SD 2, HD 1, CD 1

CONFERENCE COMMITTEE REPORTS

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1047, HD 2, presented a report (Conf. Com. Rep. No. 6) recommending that S.B. No. 1047, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and S.B. No. 1047, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred for a period of 48 hours.

Representative Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1410, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 1410, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and S.B. No. 1410, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representative Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 920, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 920, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and S.B. No. 920, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representative Takamine was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representative Takamine was excused.)

H.B. No. 154, HD 1, SD 1
H.B. No. 776, SD 1
H.B. No. 1210, HD 1, SD 1
H.B. No. 1306, HD 2, SD 1
H.B. No. 1641, HD 2, SD 2
H.B. No. 1746, SD 2
H.B. No. 1787, HD 1, SD 2
H.B. No. 1833, HD 1, SD 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative B. Oshiro and carried. (Representative Takamine was excused.)

H.C.R. No. 58, HD 1 (SD 1)
H.C.R. No. 170, HD 1 (SD 1)
H.C.R. No. 292, HD 1 (SD 1)

At 12:47 o'clock p.m., Representative Meyer requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:48 o'clock p.m.

FINAL ADOPTION

The following House Concurrent Resolutions were taken from the Clerk's desk and the following action taken:

H.C.R. No. 58, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 58, HD 1, and H.C.R. No. 58, H.D. 1, S.D. 1, entitled: "REQUESTING ALL BRANCHES OF THE UNITED STATES GOVERNMENT TO PROHIBIT DUMPING OF VESSEL SEWAGE IN FEDERAL WATERS IN THE VICINITY OF THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY," was Adopted, with Representative Takamine being excused.

H.C.R. No. 170, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 170, and H.C.R. No. 170, S.D. 1, entitled: "REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A TASK FORCE TO DEVELOP LONG-TERM SOLUTIONS TO EFFECTIVELY PROTECT THE LIVESTOCK INDUSTRY IN HAWAII," was Adopted, with Representative Takamine being excused.

H.C.R. No. 292, S.D. 1:

Representative Caldwell moved that H.C.R. No. 292, SD 1, be Adopted, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support H.C.R. 292, which recognizes the Nuuanu-Liliha Historic Corridor.

"Historic corridors are geographic areas containing buildings, sites, objects, and vistas of natural, historic, geographic, or architectural significance. They are associated with persons or events important to understanding the history and culture of Hawaii.

"The Nuuanu-Liliha corridor uniquely reflects the three major eras of Hawaii's dynamic history, from pre-unification of the islands by Kamehameha the Great, to the monarchy period, and finally to the pre-Statehood era. The area houses one of only three royal palaces in the nation, as well as the location where King Kamehameha defeated his last opponent and unified the Hawaiian Islands. There are numerous sites that enjoy the distinction of being listed on either the State or National Historic Registries, or both, including the Queen Emma Summer Palace and Grounds, the Sanju Pagoda, and the Kawananakoa Playground. In addition to these iconic historic locations, Nuuanu houses the Walker Estate, built in1905, which features what is thought to be the oldest Japanese garden in Honolulu and is one of the last homes of its kind remaining in the area. Liliha is said to be the birthplace of Saimin, and home of the first L&L Drive-In, now a national chain, which opened on Liliha Street in 1959. Our very own Ellis Island, the area reflects all of Hawaii through its myriad of multicultural temples, its quaint "frozen in time" mom and pop stores from the 1940s and 1950s pre-Statehood days, and most obviously, some of the most important natural and cultural resources of our State and nation.

"The Chieftess Liliha, namesake of the Liliha area, bore tremendous influence upon the area's religious diversity. Liliha is home to many religious denominations, from the Ma'ema'e Chapel (1863) to the Young Buddhist Association (1900) to St. Luke's Episcopal Church (1903) to the Korean Christian Church (1918). Liliha reflects many of the State's health systems, with Kuakini Health Systems, St. Francis Medical Center, Rehabilitation Hospital of the Pacific, and almost two dozen additional medical clinics and therapy centers. The area houses four of the state's consulates.

"The purpose of this Resolution is to designate the Nuuanu-Liliha corridor as the Nuuanu-Liliha historic corridor. I ask your support for this Resolution, aimed towards the preservation of Hawai`i's unique cultural heritage."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.C.R. No. 292, and H.C.R. No. 292, S.D. 1, entitled: "RECOGNIZING THE NUUANU-LILIHA CORRIDOR AS THE NUUANU-LILIHA HISTORIC CORRIDOR," was Adopted, with Representative Takamine being excused.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, I have an announcement to make and that is that it's someone birthday today, Mr. Speaker. It's someone that we all know and love, and that's Speaker Emeritus Joe Souki, who if you judge by his friskiness and his love of life, he's probably around the age of nineteen and twenty five. Thank you, Mr. Speaker."

Representative Finnegan: "Thank you, Mr. Speaker. I believe today is Administrative Assistants Day. And I just wanted to thank everyone working in that capacity here in the House, as well as the Legislature and in government. On behalf of the House and both Caucuses I'm sure, we thank them for all their hard work, especially the ones we have just in front of us, a whole bunch of people that we know we couldn't run the Capitol without them. Thank you."

ADJOURNMENT

At 12:50 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 26, 2007. (Representative Takamine was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 25, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the following bills have this day passed Final Reading in the House of Representatives:

S.B. No. 946, SD 2, HD 1, CD 1
S.B. No. 1529, SD 2, HD 2, CD 1
S.B. No. 1709, SD 1, HD 2, CD 1

House Communication dated April 25, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House Bills:

H.B. No. 154, HD 1, SD 1
H.B. No. 776, SD 1
H.B. No. 1210, HD 1, SD 1
H.B. No. 1306, HD 2, SD 1
H.B. No. 1641, HD 2, SD 2
H.B. No. 1746, SD 2
H.B. No. 1787, HD 1, SD 2
H.B. No. 1833, HD 1, SD 1

House Communication dated April 25, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

HCR No. 58, HD1, SD1
HCR No. 170, SD 1
HCR No. 292, SD 1

FIFTY-SEVENTH DAY

Thursday, April 26, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 6:45 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Pono Chong, after which the Roll was called showing all members present with the exception of Representatives Bertram, Takai and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journal was dispensed with and the Journal of the Forty-Sixth Day was approved. (Representatives Bertram, Takai and Takamine were excused.)

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 362) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 362, informing the House that on April 25, 2007, the following bill was signed into law:

H.B. No. 426, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION." (ACT 039)

The following message from the Governor (Gov. Msg. No. 363) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 363, transmitting S.B. No. 1063, SD 1, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 25, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1063

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1063, entitled "A Bill for an Act Relating to Legislative Vacancies."

The purpose of this bill is to require the Governor, in filling vacancies in the State Legislature and United States Senate, to select from a list of three names submitted by the political party of the former incumbent. Prospective appointees must have been members of the incumbent's party for at least six months prior to appointment, and incumbents who were not members of any political party could only be replaced by other non-party members.

The goal of the present law is to fill vacancies in the State Legislature and the United States Senate in a timely manner when such vacancies occur. These vacancies in elective office are appropriately filled by the Governor, who is elected by the public at large, and, as such, is accountable to the public. The process for filling vacancies in the United States Senate and the Hawaii State Legislature has been in place since 1970 and has not been shown to have compromised the integrity of the election process.

This bill places the ability for determining who may be appointed by the Governor with the political party leadership of the vacating office holder. This is in spite of the fact that these individuals are not elected by the public and, as such, are not accountable to them.

Additionally, the bill, without any stated rationale, narrows the field of qualified candidates that the political party can consider to those who have been registered members of that party for at least six months prior to the appointment. Such a provision fails to recognize that this may unreasonably restrict the pool of potential candidates as the majority of people who personally and philosophically associate themselves with a political party and vote along party lines may not meet this requirement.

The Governor's ability and responsibility to select the most qualified person to fill a vacancy should not be so narrowly restricted.

For the foregoing reasons, I am returning Senate Bill No. 1063 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

The following messages from the Governor (Gov. Msg. Nos. 364 and 365) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 364, informing the House that on April 25, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 820 SD 1

On April 25, 2007, Senate Bill No. 820 SD 1 entitled "A Bill for an Act Relating to Developmental Disabilities" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to extend the repeal date of Act 303, Session Laws of Hawaii 2006. Act 303 established a pilot project to expand the residential options of individuals with developmental disabilities or mental retardation to allow them to live in a setting of the person's choice if it is determined that "the person can be sustained with supports, the supports are attached to the person, and adequate consideration and recognition is given to the person's safety and well-being." Act 303 is scheduled to sunset on June 30, 2008. Senate Bill No. 820 SD 1 extends this sunset date to June 30, 2009.

In Governor's Message 861 (2006), I expressed concerns with regards to Act 303. These concerns have not been addressed, and Senate Bill No. 820 SD 1 further extends the date of Act 303. Therefore, my concerns with Act 303 are applicable to this bill.

First, Act 303 does not state how the person's choice of residential setting is to be made and how the Department of Health (DOH) is to support the choice. Under the current system employed by the Developmental Disabilities Division (DDD) of the DOH, DDD assists clients to locate licensed or certified homes. This program creates uncertainty over the DOH's role in selection of these residential alternatives even though State money is spent supporting the individual.

Second, Act 303 does not specify how to determine whether "adequate consideration and recognition" has been given to the person's safety and well-being. Act 303 does not mention licensing or certification requirements, an omission that could lead to an interpretation that the program allows placement in unlicensed or

uncertified homes. Allowing placement in unlicensed or uncertified homes poses a risk for the safety and well-being of persons with developmental disabilities or mental retardation because it is only through licensing or certification requirements that safety standards such as criminal history background checks of the home operator and periodic monitoring or unannounced home visits are maintained. Any program that purports to assist persons with developmental disabilities under the care of the State must include a degree of accountability within the system.

For the foregoing reasons, I allowed Senate Bill No. 820 SD 1 to become law as Act 40, effective April 25, 2007, without my signature.

Sincerely,
/s/
LINDA LINGLE"

Gov. Msg. No. 365, informing the House that on April 25, 2007, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

RE: Senate Bill No. 95 SD 1

On April 25, 2007, Senate Bill No. 95 entitled "A Bill for an Act Relating to Vacant Positions in the Department of Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Senate Bill No. 95 repeals Section 302A-1115, Hawaii Revised Statutes, which promotes decentralization and facilitates restructuring of the Department of Education. The Legislature granted the department this flexibility to reallocate existing vacant positions and resources in the State and district offices to the school level via Act 89, Session Laws of Hawaii 1996. Senate Bill No. 95 repeals this language with the justification that the implementation of Act 51, Session Laws of Hawaii 2004, as amended by Act 225, Session Laws of Hawaii 2006, and the weighted student formula makes 302A-1115 unnecessary.

There are two concerns with this bill. First, the weighted student formula has not truly been implemented, in terms of dollars and discretion reaching the school level. In school year 2006-2007 only 10% of the weighted student formula has been implemented. In school year 2007-2008, only 15% of the formula will be implemented. For fiscal year 2007-2008 the Department of Education requested an additional $20 million in funding to supplement "shortfalls" experienced by schools due to the 10% implementation of weighted student formula. Therefore, the argument that weighted student formula has rendered the decentralization and reallocation of vacant State or district office positions to the school level unnecessary is inaccurate because the weighted student formula has not been fully implemented. With the formula implemented only at 10%, there is no way to determine that this decentralization requirement is unnecessary.

Second, and more importantly, repealing this language allows the State and district Department of Education offices to keep their vacant positions and, in some cases, funding because the weighted student formula and Act 51 do not require the decentralization and reallocation of vacant State and district positions to the school level. On the contrary, under weighted student formula the school would be funding additional positions on their own through the per-pupil allocation, not by taking positions reallocated from State and district offices. Further, at this time the weighted student formula does not include State and district program funds, so none of this money currently goes to the school level. The Department of Education should not be allowed to keep vacant positions at the State and district office level, as well as the funding for these positions; these resources should be placed at the school level.

Therefore, for the foregoing reasons, I allowed Senate Bill No. 95 to become law as Act 41 effective April 25, 2007, without my signature.

Sincerely,
/s/
LINDA LINGLE"

SENATE COMMUNICATION

The following communications from the Senate (Sen. Com. Nos. 852 through 858) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 852, transmitting H.C.R No. 89, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXTEND ITS CURRENT LAND LEASE WITH LEAHI HOSPITAL TO FACILITATE THE EFFECTIVE PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF A CAMPUS-WIDE MASTER PLAN FOR LONG-TERM HEALTH CARE SERVICES," which was adopted by the Senate on April 25, 2007.

Sen. Com. No. 853, transmitting H.C.R No. 315, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," which was adopted by the Senate on April 25, 2007.

Sen. Com. No. 854, dated, April 25, 2007, informing the House that the following bills have this day passed Final Reading in the Senate:

S.B. No. 1529, S.D. 2, H.D. 2, C.D. 1
S.B. No. 946, S.D. 2, H.D. 1, C.D. 1

Sen. Com. No. 855, dated April 25, 2007, informing the House that the Senate has, on April 24, 2007, reconsidered its action taken on April 10, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 55, SD 1, HD 2	"RELATING TO DENTISTRY."

Sen. Com. No. 856, dated April 25, 2007, informing the House that the Senate has, on April 24, 2007, reconsidered its action taken on April 12, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 840, HD 1	"RELATING TO KIKALA-KEOKEA."
S.B. No. 1283, SD 2, HD 2	"RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND."
S.B. No. 1457, SD 2, HD 2	"MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH."

Sen. Com. No. 857, dated April 25, 2007, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolution:

102, SD 1, HD 1	"REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY LABELING REQUIREMENTS RELATING TO THE USE OF HAWAII-GROWN COFFEE NAMES AND STUDY THE EFFECTIVENESS OF THE ADMINISTRATIVE RULES RELATING TO INSPECTION, CERTIFICATION, AND AUDIT REQUIREMENTS FOR HAWAII-GROWN COFFEE."

Sen. Com. No. 858, dated April 25, 2007, informing the House that the Senate has disagreed to the amendments proposed by the House and has this day named conferees to the following Senate Concurrent Resolutions:

48, SD 1, HD 2	Chun Oakland, Chair; Baker, Co-Chair; Fukunaga, Ihara, Hemmings
73, SD 1, HD 1	Sakamoto, Chair; Tokuda, Gabbard
98, SD 1, HD 1	English, Chair; Baker, Co-Chair; Gabbard
209, HD 1	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
24, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
25, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
178	Committee on Labor & Public Employment, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar. (Representatives Bertram, M. Oshiro, Takai and Takamine were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 4 and S.B. No.1528, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1528, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Final Reading by a vote of 47 ayes, and with Representatives Bertram, M. Oshiro, Takai and Takamine being excused.

Conf. Com. Rep. No. 5 and S.B. No.1704, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1704, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 47 ayes, and with Representatives Bertram, M. Oshiro, Takai and Takamine being excused.

Conf. Com. Rep. No. 51 and H.B. No.1379, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1379, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Final Reading by a vote of 47 ayes, and with Representatives Bertram, M. Oshiro, Takai and Takamine being excused.

At 6:51 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1528, HD 1, CD 1
S.B. No. 1704, SD 1, HD 1, CD 1
H.B. No. 1379, HD 1, SD 1, CD 1

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 2131) recommending that S.C.R. No. 173, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 173, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR INTERNATIONAL EDUCATION," was adopted, with Representatives Bertram, Takai and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2132) recommending that S.C.R. No. 75, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 75, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF DESTINATION CLUBS AND THOSE WHO MARKET THEM," was adopted, with Representatives Bertram, Takai and Takamine being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2133) recommending that H.R. No. 259, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 259, be adopted, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure, stating:

"I am in strong support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 259, entitled: "HOUSE RESOLUTION REQUESTING THE CREATION OF A HOUSE OF REPRESENTATIVES TASK FORCE TO DEVELOP LEGISLATION FOR SMART GROWTH, LAND USE AND DEVELOPMENT," was adopted, with Representatives Bertram, Takai and Takamine being excused.

The Chair then announced:

"Members, please note the 48-hour notice for the following Conference Reports."

CONFERENCE COMMITTEE REPORTS

Representatives Green and Mizuno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 139, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 139, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and S.B. No. 139, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 755, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 10) recommending that S.B. No. 755, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and S.B. No. 755, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," was deferred for a period of 48 hours.

Representatives Takumi and Evans, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 618, HD 1, presented a report (Conf. Com. Rep. No. 11) recommending that S.B. No. 618, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11 and S.B. No. 618, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Herkes and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1008, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 12) recommending that S.B. No. 1008, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and S.B. No. 1008, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," was deferred for a period of 48 hours.

Representatives Green and Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 667, SD 3, HD 2, presented a report (Conf. Com. Rep. No. 13) recommending that S.B. No. 667, SD 3, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and S.B. No. 667, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," was deferred for a period of 48 hours.

Representatives Green and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1675, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 14) recommending that S.B. No. 1675, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and S.B. No. 1675, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," was deferred for a period of 48 hours.

Representatives Evans and Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1425, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 15) recommending that S.B. No. 1425, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and S.B. No. 1425, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," was deferred for a period of 48 hours.

Representatives Ito and Chong, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 870, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 16) recommending that S.B. No. 870, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16 and S.B. No. 870, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," was deferred for a period of 48 hours.

Representatives Ito and Chong, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1924, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 17) recommending that S.B. No. 1924, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17 and S.B. No. 1924, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," was deferred for a period of 48 hours.

Representatives Morita, Tsuji and Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1646, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 52) recommending that H.B. No. 1646, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and H.B. No. 1646, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred for a period of 48 hours.

Representatives Tsuji and Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1628, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 53) recommending that H.B. No. 1628, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and H.B. No. 1628, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING," was deferred for a period of 48 hours.

Representatives Souki, Yamane and Yamashita, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 349, SD 1, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 349, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and H.B. No. 349, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," was deferred for a period of 48 hours.

Representatives Souki, Ito and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 714, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 55) recommending that H.B. No. 714, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and H.B. No. 714, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and McKelvey, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 71, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 56) recommending that H.B. No. 71, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and H.B. No. 71, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," was deferred for a period of 48 hours.

Representative Shimabukuro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1264, SD 1, presented a report (Conf. Com. Rep. No. 57) recommending that H.B. No. 1264, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and H.B. No. 1264, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Representatives Green and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1370, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 1370, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and H.B. No. 1370, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Bertram, Takai and Takamine were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Takai and Takamine were excused.)

H.B. No. 18, HD 1, SD 2
H.B. No. 25, HD 1, SD 1
H.B. No. 272, HD 1, SD 1
H.B. No. 513, SD 1
H.B. No. 1044, HD 1, SD 2
H.B. No. 1207, SD 1
H.B. No. 1227, HD 1, SD 1
H.B. No. 1323, SD 1
H.B. No. 1361, HD 1, SD 1
H.B. No. 1411, HD 2, SD 1
H.B. No. 1500, HD 2, SD 2

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Takai and Takamine were excused.)

H.B. No. 154, HD 1, SD 1
H.B. No. 776, SD 1
H.B. No. 1210, HD 1, SD 1
H.B. No. 1306, HD 2, SD 1
H.B. No. 1641, HD 2, SD 2
H.B. No. 1746, SD 2
H.B. No. 1787, HD 1, SD 2
H.B. No. 1833, HD 1, SD 1

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

At 6:58 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:58 o'clock p.m.

H.B. No. 154, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 154, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Souki, B. Oshiro, Nishimoto and Pine). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 154, H.D. 1 and H.B. No. 154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 776, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 776, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, McKelvey and Marumoto). Noes, none. Excused, none.

Representative Caldwell moved that H.B. No. 776, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB 776 SD1.

"When consumers purchase tickets to any event using a credit card, they should be made aware of any charges in addition to the ticket price. While most ticket vendors do disclose these fees, not all do. This bill would require those that currently do not disclose any additional fees to do so. This bill protects the consumers, which is why I am in strong support of this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 776 and H.B. No. 776, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TICKET SALES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 1210, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1210, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Waters, B. Oshiro and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1210, H.D. 1 and H.B. No. 1210, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS AND PROSPECTIVE JURORS," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 1306, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1306, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, Waters and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1306, H.D. 2 and H.B. No. 1306, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS COMMITTED AGAINST ELDERS," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 1641, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1641, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Morita, Tsuji and Herkes). Noes, none. Excused, 1 (Ward).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1641, H.D. 2 and H.B. No. 1641, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 1746, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1746, on the following showing of Ayes and Noes:

Ayes, 2 (Sonson and Nakasone). Noes, none. Excused, 1 (Ching).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1746 and H.B. No. 1746, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 1787, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1787, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Morita, Carroll and Thielen). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1787, H.D. 1 and H.B. No. 1787, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

H.B. No. 1833, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1833, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, Waters and McKelvey). Noes, none. Excused, 1 (Pine).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1833, H.D. 1 and H.B. No. 1833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR BUSINESS PRACTICES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Takai and Takamine being excused.

At 7:01 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 154, H.D. 1, S.D. 1
H.B. No. 776, S.D. 1

H.B. No. 1210, H.D. 1, S.D. 1
H.B. No. 1306, H.D. 2, S.D. 1
H.B. No. 1641, H.D. 2, S.D. 2
H.B. No. 1746, S.D. 2
H.B. No. 1787, H.D. 1, S.D. 2
H.B. No. 1833, H.D. 1, S.D. 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Takai and Takamine were excused.)

H.C.R. No. 129, HD 1 (SD 1)

FINAL ADOPTION

The following House Concurrent Resolution was taken from the Clerk's desk and the following action taken:

H.C.R. 129, S.D. 1:

Representative Caldwell moved that H.C.R. No. 129, SD 1, be Adopted, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have reservations on this because I prefer the original House version of this measure."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.C.R. No. 129 and H.C.R. 129, S.D. 1, entitled: "REQUESTING THE CENTER FOR PACIFIC ISLAND STUDIES AT THE UNIVERSITY OF HAWAIʻI AT MANOA TO ESTABLISH A TASK FORCE TO IDENTIFY AND ADDRESS THE NEEDS OF PACIFIC ISLANDERS IN HAWAIʻI," was Adopted, with Representatives Bertram, Takai and Takamine being excused.

ANNOUNCEMENTS

Representative Lee for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement for the purpose of decision making on the following resolutions previously heard, to be held on Friday, April 27 at 9:00 a.m. in Conference Room 308, and the Chair "so ordered."

S.C.R. 68, S.D. 1,
S.C.R. 91, S.D. 1,
S.C.R. 137,
S.C.R. 178,
S.C.R. 197,
S.C.R. 213, and
S.C.R. 220, S.D. 1.

Representative Evans: "Mr. Speaker. I think I have a point of information. When the Committee on Public Safety and Military Affairs met to talk about public safety, we actually set a reconvening time for tomorrow afternoon at 4:00 p.m. I noticed it is not listed on the announcements on the Order of the Day."

At 7:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 7:04 o'clock p.m.

Representative Waters: "Thank you, Mr. Speaker. I'd like to thank this group of young men and women who call themselves the 'Night Riders' for their hard work, sweat and tears. Alfonso Singson, Jeff Spencer, Kate Hirayasu, Matt Oamilda and Kalani Asuncion. Mahalo, you guys."

Speaker Say: "And they are part of the Sgt-at-Arms staff that work during the evenings."

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Meyer and carried. (Representatives Bertram, Saiki, Takai and Takamine were excused.)

At 7:06 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 6:30 o'clock p.m. tomorrow, Friday, April 27, 2007. (Representatives Bertram, Saiki, Takai and Takamine were excused.)

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 18 through 35; and 59 through 71) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 18 and S.B. No. 866, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 19 and S.B. No. 1750, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 20 and S.B. No. 58, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 21 and S.B. No. 1017, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 22 and S.B. No. 1803, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 23 and S.B. No. 188, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 24 and S.B. No. 1315, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 25 and S.B. No. 46, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 26 and S.B. No. 987, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 27 and S.B. No. 1943, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 28 and S.B. No. 56, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 29 and S.B. No. 1665, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 30 and S.B. No. 1833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 31 and S.B. No. 1004, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 32 and S.B. No. 1400, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 33 and S.B. No. 1161, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 34 and S.B. No. 228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 35 and S.B. No. 1603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 59 and H.B. No. 1608, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 60 and H.B. No. 1612, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 61 and H.B. No. 1337, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 62 and H.B. No. 487, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 63 and H.B. No. 692, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 64 and H.B. No. 375, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 65 and H.B. No. 1518, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 66 and H.B. No. 1830, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 67 and H.B. No. 964, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 68 and H.B. No. 1503, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 69 and H.B. No. 791, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 70 and H.B. No. 1246, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

Conf. Com. Rep. No. 71 and H.B. No. 1130, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Friday, April 27, 2007.

HOUSE COMMUNICATIONS

"HAWAII STATE LEGISLATURE
STATE CAPITOL
HONOLULU, HAWAII 96813

April 25, 2007

MEMORANDUM

To: All Senators and Representatives

From: Representative Calvin K.Y. Say, Speaker
Senator Colleen Hanabusa, President

Subject: Waiver of Legislative Timetable deadlines

This is to inform you that we hereby waive the Substantive Resolution Introduction Cutoff, First Crossover for Resolutions and Second Crossover for Resolutions deadlines to consider a Senate Concurrent Resolution that will establish a joint Senate-House Investigative Committee to investigate the security of recorded documents, private computer access and tampering of such documents, and the operations of management of the Bureau of Conveyances."

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the

Senate that the House has this day agreed to the Senate amendments and passed the following House Bills on Final Reading:

H.B. No. 154, HD 1, SD 1
H.B. No. 776, SD 1
H.B. No. 1210, HD 1, SD 1
H.B. No. 1306, HD 2, SD 1
H.B. No. 1641, HD 2, SD 2
H.B. No. 1746, SD 2
H.B. No. 1787, HD 1, SD 2
H.B. No. 1833, HD 1, SD 1

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on March 27, 2007 to H.B. No. 25, HD 1, SD 1.

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on March 29, 2007 to H.B. No. 272, HD 1, SD 1.

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 10, 2007 to the following House Bills:

H.B. No. 18, HD 1, SD 2
H.B. No. 513, SD 1
H.B. No. 1207, SD 1
H.B. No. 1227, HD 1, SD 1

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2007 to the following House Bills:

H.B. No. 1044, HD 1, SD 2
H.B. No. 1323, SD 1
H.B. No. 1500, HD 2, SD 2

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 5, 2007 to the following House Bills:

H.B. No. 1361, HD 1, SD 1
H.B. No. 1411, HD 2, SD 1

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the following bills have this day passed Final Reading in the House of Representatives:

H.B. No. 1379, HD 1, SD 1, CD 1
S.B. No. 1528, HD 1, CD 1
S.B. No. 1704, SD 1, HD 1, CD 1

House Communication dated April 26, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted HCR 129, SD1.

FIFTY-EIGHTH DAY

Friday, April 27, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 6:39 o'clock p.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Mr. Lolan Lauvao, who then introduced the United Samoan Organization of Hawaii Pacific University who presented the House with a traditional Samoan song and dance. The Roll was called showing all members present with the exception of Representatives Berg, Bertram, Chong, M. Oshiro and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Seventh Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 366 through 368) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 366, informing the House that on April 26, 2007, the following bill was signed into law:

S.B. No. 1509, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE (HOV) LANES." (ACT 042)

Gov. Msg. No. 367, informing the House that on April 26, 2007, the following bill was signed into law:

S.B. No. 1287, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY." (ACT 043)

Gov. Msg. No. 368, informing the House that on April 26, 2007, the following bill was signed into law:

S.B. No. 1370, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS." (ACT 044)

The following message from the Governor (Gov. Msg. No. 369) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 369, transmitting S.B. No. 1816, SD 1, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 26, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1816

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1816, entitled "A Bill for an Act Relating to Historic Preservation."

The purpose of this bill is to require consultation with the Kahuna Nui of the Mo'okini Heiau before any alteration, improvement, or organized profit-making venture involving the Kohala Historic Sites State Monument can occur.

This bill is objectionable because it grants the exclusive right of consultation to only a single entity. This bill does not require consultation with other Kohala community groups such as the Kohala Hawaiian Civic Club, or other land owners and interested parties within the monument, including Kamehameha Schools and the Luhiau family, who has ancestral ties to the Kukuipahu Heiau. Neither does this bill provide for consultation with the Office of Hawaiian Affairs. The Kahuna Nui of the Mo'okini Heiau should not be given absolute consultation authority over the entire monument.

Generally, it is unnecessary to mandate consultation through legislation for historic sites. Currently, the Department of Land and Natural Resources consults with the Kahuna Nui of the Mo'okini Heiau for any alterations or improvements to this specific heiau. Additionally, the Department consults with interested community members and groups prior to alterations or improvements to the monument and any other State-managed historic sites.

Furthermore, the specific mandates in this bill are not clearly defined and may result in allegations of violations of the law. It is unclear what authority that the Kahuna Nui shall have with the consultations, there is no defined process for determining succeeding Kahuna Nui, or a contingency plan if a Kahuna Nui is not named or is not accessible for consultation, there is no process for dispute resolution, there is no clear definition of the properties involved under the purview of this bill, and there is no definition of "organized profit-making venture involving the monument."

Finally, this bill may be construed as special interest legislation for the Kahuna Nui of the Mo'okini Heiau on the island of Hawaii. This legislation could set precedent causing Kahuna Nui or other parties to seek legislation specific to other historic or culturally important properties. Consultation between the State and community interests should take place under existing laws and rules rather than be legislatively mandated on a case-by-case or an interest-by-interest basis.

The Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Kohala Hawaiian Civic Club, and Kamehameha Schools expressed concerns with this bill and recommended the bill be amended to include other organizations in the consultation process, limit the consultation with the Kahuna Nui of Mo'okini Heiau, and better define the vague language of this bill. Unfortunately, none of the proposed amendments were adopted in this bill.

For the foregoing reasons, I am returning Senate Bill No. 1816 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATION

The following communications from the Senate (Sen. Com. Nos. 859 through 867) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 859, transmitting H.C.R No. 189, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL OUTREACH SERVICES TO HOMELESS INFANTS, CHILDREN, AND YOUTH IN HAWAII," which was adopted by the Senate on April 26, 2007.

Sen. Com. No. 860, transmitting H.C.R No. 312, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REPORT TO THE LEGISLATURE ON THE FINANCIAL REQUIREMENTS OF TRANSPORTING, HOUSING, AND ANY OTHER COSTS ASSOCIATED WITH THE OPERATIONS AND ADMINISTRATION OF SENDING HAWAII INMATES TO OUT-OF-STATE CORRECTIONAL FACILITIES," which was adopted by the Senate on April 26, 2007.

Sen. Com. No. 861, transmitting H.B. No. 91, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," which passed Third Reading in the Senate on April 26, 2007.

Sen. Com. No. 862, dated, April 26, 2007, informing the House that the Senate has on April 25, 2007, agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions and that said resolutions were this day adopted in final form:

S.C.R. No. 39, HD 1
S.C.R. No. 41, HD 1
S.C.R. No. 67, HD 1
S.C.R. No. 115, SD 1, HD 1

Sen. Com. No. 863, dated April 26, 2007, informing the House that the Senate has on April 25, 2007, reconsidered its action taken on March 22, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 921, SD 1, HD 1 "RELATING TO CONDOMINIUM ASSOCIATION RECORDS."

Sen. Com. No. 864, dated April 26, 2007, informing the House that the Senate has on April 25, 2007, reconsidered its action taken on April 5, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 1654, SD 1, HD 1 "RELATING TO CONDOMINIUM MANAGEMENT DISPUTE RESOLUTION."

Sen. Com. No. 865, dated April 26, 2007, informing the House that the Senate has, on April 25, 2007, reconsidered its action taken on April 12, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 1674, SD 1, HD 2 "RELATING TO HEALTH."

S.B. No. 1988, SD 1, HD 2 "RELATING TO HONEY."

Sen. Com. No. 866, dated April 26, 2007, informing the House that the following bills have this day passed Final Reading:

S.B. No. 1528, HD 1, CD 1 "RELATING TO TRAFFIC INFRACTIONS."

S.B. No. 1704, SD 1, HD 1, CD 1 "RELATING TO CONDOMINIUMS."

H.B. No. 1379, HD 1, SD 1, CD 1 "RELATING TO EMPLOYMENT SECURITY LAW."

Sen. Com. No. 867, dated April 27, 2007, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 807, HD 1, SD 2
Senator Ihara discharged as conferee.
Senator Sakamoto added as conferee.

H.B. No. 833, HD 2, SD 2
Senator Ihara discharged as conferee.
Senator Sakamoto added as conferee.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 59) was received by the Clerk and was placed on file:

Dept. Com. No. 59, dated April 27, 2007, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Sunrise Analysis: Nurse Aides.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Thielen introduced her granddaughter, Ms. Natalie Helper. She was accompanied by her mother, Ms. Laura Thielen, daughter of Representative Thielen.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar. (Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 6 and S.B. No.1047, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1047, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading by a vote of 45 ayes and, with Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita being excused.

Conf. Com. Rep. No. 7 and S.B. No.1410, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1410, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 45 ayes and, with Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita being excused.

Conf. Com. Rep. No. 8 and S.B. No.920, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 920, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 45 ayes and, with Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita being excused.

At 6:50 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1047, HD 2, CD 1
S.B. No. 1410, SD 1, HD 1, CD 1
S.B. No. 920, SD 1, HD 1, CD 1

STANDING COMMITTEE REPORTS

Representatives Green and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 2134) recommending that S.C.R. No. 17, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that S.C.R. No. 17, be adopted, seconded by Representative B. Oshiro.

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES," was adopted, with Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita being excused.

At 6:51 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:51 o'clock p.m.

At this time, the Chair announced:

"Members, please note the 48-hour notice for the following Conference Committee Reports."

CONFERENCE COMMITTEE REPORTS

Representative Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 866, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 18) recommending that S.B. No. 866, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18 and S.B. No. 866, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Representative Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1750, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 19) recommending that S.B. No. 1750, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19 and S.B. No. 1750, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Green, Herkes and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 58, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 20) recommending that S.B. No. 58, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20 and S.B. No. 58, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," was deferred for a period of 48 hours.

Representatives Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1017, HD 1, presented a report (Conf. Com. Rep. No. 21) recommending that S.B. No. 1017, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21 and S.B. No. 1017, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Representatives Green, Herkes and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1803, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 22) recommending that S.B. No. 1803, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22 and S.B. No. 1803, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred for a period of 48 hours.

Representatives Yamashita, Herkes and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 188, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 23) recommending that S.B. No. 188, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23 and S.B. No. 188, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," was deferred for a period of 48 hours.

Representatives Yamashita and Sagum, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1315, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 24) recommending that S.B. No. 1315, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24 and S.B. No. 1315, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," was deferred for a period of 48 hours.

Representatives Chang and Sonson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 46, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 25) recommending that S.B. No. 46, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25 and S.B. No. 46, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," was deferred for a period of 48 hours.

Representatives Morita and Ito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 987, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 26) recommending that S.B. No. 987, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26 and S.B. No. 987, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY," was deferred for a period of 48 hours.

Representatives Ito, Morita and Tsuji, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1943, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 27) recommending that S.B. No. 1943, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27 and S.B. No. 1943, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 56, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 28) recommending that S.B. No. 56, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28 and S.B. No. 56, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1665, HD 1, presented a report (Conf. Com. Rep. No. 29) recommending that S.B. No. 1665, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29 and S.B. No. 1665, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," was deferred for a period of 48 hours.

Representatives Sonson and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1833, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 30) recommending that S.B. No. 1833, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30 and S.B. No. 1833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was deferred for a period of 48 hours.

Representatives Green and Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1004, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 31) recommending that S.B. No. 1004, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31 and S.B. No. 1004, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," was deferred for a period of 48 hours.

Representatives Shimabukuro, Herkes and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1400, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 32) recommending that S.B. No. 1400, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32 and S.B. No. 1400, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," was deferred for a period of 48 hours.

Representatives Shimabukuro and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1161, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 33) recommending that S.B. No. 1161, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33 and S.B. No. 1161, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 228, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 34) recommending that S.B. No. 228, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34 and S.B. No. 228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," was deferred for a period of 48 hours.

Representatives Ito and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1603, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 35) recommending that S.B. No. 1603, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35 and S.B. No. 1603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," was deferred for a period of 48 hours.

Representatives Ito and Chong, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 162, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 36) recommending that S.B. No. 162, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and S.B. No. 162, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," was deferred for a period of 48 hours.

Representatives Chang and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1154, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 37) recommending that S.B. No. 1154, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and S.B. No. 1154, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Representatives Ito and Chong, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 138, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 38) recommending that S.B. No. 138, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and S.B. No. 138, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and Mizuno, for the Committee on Conference on the disagreeing vote of the Senate to

the amendments proposed by the House in S.B. No. 1182, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 39) recommending that S.B. No. 1182, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and S.B. No. 1182, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE," was deferred for a period of 48 hours.

Representatives Morita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1222, SD 3, HD 2, presented a report (Conf. Com. Rep. No. 40) recommending that S.B. No. 1222, SD 3, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and S.B. No. 1222, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred for a period of 48 hours.

Representatives Souki and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1191, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 41) recommending that S.B. No. 1191, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and S.B. No. 1191, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," was deferred for a period of 48 hours.

Representatives Souki, Evans and B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1608, SD 3, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 1608, SD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and H.B. No. 1608, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives Herkes and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1612, SD 1, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 1612, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and H.B. No. 1612, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," was deferred for a period of 48 hours.

Representatives Herkes and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1337, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 61) recommending that H.B. No. 1337, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and H.B. No. 1337, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," was deferred for a period of 48 hours.

Representatives Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 487, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 62) recommending that H.B. No. 487, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and H.B. No. 487, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," was deferred for a period of 48 hours.

Representatives Tsuji and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 692, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 63) recommending that H.B. No. 692, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and H.B. No. 692, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Souki and B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 375, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 64) recommending that H.B. No. 375, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and H.B. No. 375, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," was deferred for a period of 48 hours.

Representatives Herkes and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1518, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 65) recommending that H.B. No. 1518, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65 and H.B. No. 1518, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," was deferred for a period of 48 hours.

Representatives Shimabukuro, Green and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1830, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 66) recommending that H.B. No. 1830, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66 and H.B. No. 1830, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was deferred for a period of 48 hours.

Representatives Sonson, Green and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 964, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 67) recommending that H.B. No. 964, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67 and H.B. No. 964, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred for a period of 48 hours.

Representatives Sonson and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1503, HD 1, SD 1, presented a

report (Conf. Com. Rep. No. 68) recommending that H.B. No. 1503, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68 and H.B. No. 1503, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred for a period of 48 hours.

Representatives Morita and Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 791, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 69) recommending that H.B. No. 791, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69 and H.B. No. 791, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1246, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 70) recommending that H.B. No. 1246, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70 and H.B. No. 1246, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1130, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 71) recommending that H.B. No. 1130, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71 and H.B. No. 1130, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred for a period of 48 hours.

Representatives Souki and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 895, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 72) recommending that H.B. No. 895, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72 and H.B. No. 895, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred for a period of 48 hours.

Representatives Takumi and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 14, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 73) recommending that H.B. No. 14, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73 and H.B. No. 14, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Chang, Herkes and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 275, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 74) recommending that H.B. No. 275, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74 and H.B. No. 275, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," was deferred for a period of 48 hours.

Representatives Green and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1372, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 75) recommending that H.B. No. 1372, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75 and H.B. No. 1372, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," was deferred for a period of 48 hours.

Representatives Evans and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1063, SD 1, presented a report (Conf. Com. Rep. No. 76) recommending that H.B. No. 1063, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76 and H.B. No. 1063, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," was deferred for a period of 48 hours.

Representatives Cabanilla, Yamashita and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 30, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 77) recommending that H.B. No. 30, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77 and H.B. No. 30, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," was deferred for a period of 48 hours.

Representatives Yamashita, Morita and Carroll, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 334, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 78) recommending that H.B. No. 334, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78 and H.B. No. 334, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," was deferred for a period of 48 hours.

Representatives Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1364, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 79) recommending that H.B. No. 1364, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79 and H.B. No. 1364, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," was deferred for a period of 48 hours.

Representatives Ito, Tsuji and Chong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 402, HD 1, SD 2, presented a

report (Conf. Com. Rep. No. 80) recommending that H.B. No. 402, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80 and H.B. No. 402, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," was deferred for a period of 48 hours.

ANNOUNCEMENTS

Representative Sonson: "Mr. Speaker, as a follow up to you noting the deferral of action on H.B. 964, H.D. 1, S.D. 2, C.D. 1, for purposes of complying the 48-hour decking requirement in the Constitution, I have an announcement.

"I'd like to announce that my Senate counterpart and I will be offering a floor amendment on Tuesday, May 1st to our respective Chambers which will accurately reflect the agreement that was reached at the Conference table yesterday. In the spirit of openness, copies of the floor amendment have been printed and made available to the Members this evening. The electronic version of the proposed floor amendment that will be acted upon on Tuesday, will be posted on the legislative website. Thank you very much."

Representative Mizuno for the Committee on Conference requested a waiver of the 24-hour advanced notice requirement to convene a Conference on SCR No. 209, Requesting the Auditor to Study the Social and Financial Impact of Mandatory Health Insurance Coverage for the Use of the Intelligence Medical Vigilance System, tonight at 7:30 p.m., Conference Room 312.

At 6:53 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:54 o'clock p.m.

At this time, the request for a Conference meeting on SCR No. 209 was approved.

Representative Takai: "Thank you, Mr. Speaker. I have a question regarding the statements made by the Chair of Labor on H.B. No. 964. He mentioned the 48-hour notice requirement, the Constitutional requirement, and I'm just curious. I thought that we could make floor amendments next week Tuesday and not notice the 48-hour requirement this evening, and so I just wanted to make sure."

At 6:55 o'clock p.m., Representative Say requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:56 o'clock p.m.

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Meyer and carried. (Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita were excused.)

At 6:57 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 10:00 o'clock a.m., Tuesday, May 1, 2007. (Representatives Berg, Bertram, Chong, M. Oshiro, Takamine and Yamashita were excused.)

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 42 through 50; 81 through 120; and 126 through 133) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 42 and S.B. No. 1929, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 43 and S.B. No. 1066, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 44 and S.B. No. 17, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 45 and S.B. No. 12, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 46 and S.B. No. 795, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 47 and S.B. No. 678, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 48 and S.B. No. 149, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 49 and S.B. No. 837, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 50 and S.B. No. 1284, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 81 and H.B. No. 250, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 82 and H.B. No. 116, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 83 and H.B. No. 1322, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 84 and H.B. No. 155, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 85 and H.B. No. 483, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 86 and H.B. No. 34, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 87 and H.B. No. 1005, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 88 and H.B. No. 162, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 89 and H.B. No. 1231, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 90 and H.B. No. 667, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 91 and H.B. No. 835, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 92 and H.B. No. 1605, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 93 and H.B. No. 500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 94 and H.B. No. 1212, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 95 and H.B. No. 1200, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 96 and H.B. No. 928, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 97 and H.B. No. 1899, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 98 and H.B. No. 869, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 99 and H.B. No. 1614, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 100 and H.B. No. 1004, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 101 and S.B. No. 1853, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 102 and S.B. No. 1382, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 103 and S.B. No. 1388, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 104 and S.B. No. 1372, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 105 and S.B. No. 990, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 106 and S.B. No. 1402, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 107 and S.B. No. 1946, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 108 and S.B. No. 896, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 109 and S.B. No. 880, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 110 and S.B. No. 1228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL PRESERVATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 111 and S.B. No. 1026, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 112 and S.B. No. 1515, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 113 and S.B. No. 1882, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 114 and S.B. No. 148, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 115 and S.B. No. 1779, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 116 and S.B. No. 1916, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 117 and S.B. No. 1672, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 118 and S.B. No. 1676, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 119 and S.B. No. 992, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 120 and S.B. No. 1060, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 126 and H.B. No. 436, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 127 and H.B. No. 506, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 128 and H.B. No. 122, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 129 and H.B. No. 718, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 130 and H.B. No. 13, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 131 and H.B. No. 1630, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 132 and H.B. No. 15, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

Conf. Com. Rep. No. 133 and H.B. No. 598, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, May 1, 2007

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, May 1, 2007.

HOUSE COMMUNICATIONS

House Communication dated April 27, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Concurrent Resolution:

209, HD1	Mizuno/McKelvey/Magaoay, Co-Chrs.; Ward

House Communication dated April 27, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Concurrent Resolution:

48, HD2, SD 1	Mizuno/Rhoads/Magaoay, Co-Chrs.; Ward
73, HD 1, SD 1	Chang/Sonson/Lee, Co-Chrs.; Finnegan
98, HD 1, SD 1	Souki/Magaoay/McKelvey/B. Oshiro, Co-Chrs.; Meyer

House Communication dated April 27, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1792, SD 3, HD 3	Discharged Representative Green as Co-Chair. Added Representative Green as a member.

House Communication dated April 27, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1792, SD 3, HD 3	Discharged Representative Green as member. Added Representatives Green and Tokioka as Co-Chairs.

House Communication dated April 27, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the following bills have this day passed Final Reading in the House of Representatives:

S.B. No. 920, SD 1, HD 1, CD 1
S.B. No. 1047, HD 2, CD 1
S.B. No. 1410, SD 1, HD 1, CD 1

FIFTY-NINTH DAY

Tuesday, May 1, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 10:20 o'clock a.m., with Vice Speaker Karamatsu presiding.

The invocation was delivered by Representative Lynn Finnegan, after which the Roll was called showing all members present with the exception of Representative Takamine, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 370 and 371) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 370, informing the House that on April 27, 2007, the following bill was signed into law:

H.B. No. 1414, HD 1, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF TAXATION COUNTY SURCHARGE IMPLMENTATION COSTS." (ACT 045)

Gov. Msg. No. 371, informing the House that on April 27, 2007, the following bill was signed into law:

S.B. No. 1441, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION OF CHILD PLACING ORGANIZATIONS, CHILD CARING INSTITUTIONS, FOSTER BOARDING HOMES, AND ADOPTIVE HOMES." (ACT 046)

The following message from the Governor (Gov. Msg. No. 372) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 372, transmitting H.B. No. 10, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 27, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 10

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 10.

This bill would mandate that pharmaceutical companies, which voluntarily participate in the Hawaii Rx Plus program, provide rebates in addition to the discounted prescription prices that the manufacturers already provide to enrollees in the Hawaii Rx Plus program. It also requires the Department of Human Services to disclose information on drug manufacturing costs.

This bill is objectionable because its enactment will likely cause voluntary participation in the Hawaii Rx Plus program by prescription drug manufacturers to end. Approximately 112,000 Hawaii residents participate in the Hawaii Rx Plus program. Low-income uninsured and underinsured residents who are enrolled in the Hawaii Rx Plus program and need prescription medications would be hurt by enactment of this legislation.

Second, this bill sets no mandatory level for the rebate. Thus, firms could make token offers and still be in compliance. Nor does the bill seem to recognize that the major reason why the rebates have not been successful is the limited volume of prescriptions written on a monthly basis under Hawaii Rx Plus.

Finally, the bill does not recognize the role the federal Centers for Medicare and Medicaid Services play in securing rebates for government-approved drug programs. Without the Centers for Medicare and Medicaid Services' approval, the Department of Human Services does not have the ability to impose a meaningful penalty on the prescription drug manufacturers that do not provide rebates.

My Administration supports the requirement of rebates from drug manufacturers but believes the rebates must be implemented in an appropriate and effective manner. My office proposed House Bill No. 1359, which is currently being considered in conference committee. This bill consolidates the current Medicare Part D State Pharmacy Assistance program and the Hawaii Rx Plus program under a single comprehensive Hawaii State Pharmacy Assistance Program. Once the Department obtains approval from the Centers for Medicare and Medicaid Services as a federally qualified state pharmaceutical assistance program, prescriptions purchased by Hawaii Rx Plus program enrollees will qualify for the same mandatory and supplemental rebates received by the Medicaid program. In addition, the market size of this consolidated program would be larger by the integration of the Hawaii Rx program into the State Pharmacy Assistance Program.

Should the Legislature send me a bill that incorporates a comprehensive approach such as that embodied in House Bill No. 1359, ensuring that the State has appropriate authority to secure pharmaceutical rebates and which will not discourage manufacturer participation in the Hawaii Rx Plus program, then I would be able to sign that measure.

For the foregoing reasons, I am returning House Bill No. 10 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. No. 868 through 881) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 868, transmitting H.C.R No. 28, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF REQUIRING VEHICLE IGNITION INTERLOCK DEVICES FOR CONVICTED DRUNK DRIVING OFFENDERS," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 869, transmitting H.C.R No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGISTRATION OF PROVIDERS OF DEBT-MANAGEMENT SERVICES," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 870, transmitting H.C.R No. 69, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE

ADOPTION OF THE UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 871, transmitting H.C.R No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO APPROVE AND AUTHORIZE THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CAGAYAN OF THE REPUBLIC OF THE PHILIPPINES," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 872, transmitting H.C.R No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ASSESS THE EXTENT TO WHICH SUPPLEMENTAL ACADEMIC ACTIVITIES ARE INCLUDED IN THE A PLUS AFTER-SCHOOL PROGRAM," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 873, transmitting H.C.R No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE PROPOSED EMPLOYEE FREE CHOICE ACT," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 874, transmitting H.C.R No. 187, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE SERVICES IN HAWAI," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 875, transmitting H.C.R No. 188, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 876, transmitting H.C.R No. 194, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY AND LABOR AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR TO CONVENE A JOINT HEARING ON THE LABOR FORCE REQUIREMENTS OF THE PROPOSED TURTLE BAY RESORT EXPANSION AND OTHER POSSIBLE IMPACTS ON THE VIBRANT AND GROWING NORTH SHORE OF OAHU," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 877, transmitting S.C.R. No. 226, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE SECURITY OF RECORDED DOCUMENTS, PRIVATE COMPUTER ACCESS AND TAMPERING OF SUCH DOCUMENTS, AND THE OPERATIONS AND MANAGEMENT OF THE BUREAU OF CONVEYANCES," which was adopted by the Senate on April 27, 2007.

Sen. Com. No. 878, dated, April 27, 2007, informing the House that the Senate has on April 26, 2007, reconsidered its action taken on April 25, 2007, in disagreeing to the amendments proposed by the House to the following Senate Concurrent Resolution and have moved to agree to the amendments and that said resolution was this day adopted in final form:

S.C.R. No. 102, SD 1, HD 1

Sen. Com. No. 879, dated April 27, 2007, informing the House that the Senate has on April 26, 2007, reconsidered its action taken on April 12, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 98, SD 1, HD 1 "RELATING TO EDUCATION."

Sen. Com. No. 880, dated April 27, 2007, informing the House that the Senate has on April 26, 2007, reconsidered its action taken on April 10, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 784, SD 1, HD 2 "RELATING TO DRIVER LICENSING."

Sen. Com. No. 881, dated April 27, 2007, informing the House that the following bills have this day passed Final Reading:

S.B. No. 1047, HD 2, CD 1 "RELATING TO HIGHWAY SAFETY."

S.B. No. 1410, SD 1, HD 1, CD 1 "RELATING TO INSURANCE."

S.B. No. 920, SD 1, HD 1, CD 1 "RELATING TO CONDOMINIUMS."

At 10:25 o'clock a.m., Representative Say requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:26 o'clock a.m.

Representative Say moved that S.C.R. No. 226 be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with some reservations on SCR No. 226. I just have short comments. I know that this has to do with the confirmation that did not happen, of the Director of DLNR. I've only read some of what went on and some of it had to do with an investigation that actually, Director Peter Young, requested on his own Department, the Bureau of Conveyances. I just don't want this particular Resolution to have any type of negative treatment, as if this were pertaining to him, when he was the one that actually initiated the investigation. That's all my comments are for. And I wanted to thank the Speaker for pointing out that we were taking this up at this time. Thank you."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like to disclose a conflict. The firm that I'm a partner in, one of their major clients is Title Guaranty & Escrow. They may be the subject of this Resolution. Two of my former partners are General Counsel and Associate General Counsel over at Title Guaranty, and many of the family members that own that company are close personal friends. I believe I do have a conflict."

The Chair then ruled:

"You may be excused."

Representative Ward rose, stating:

"I would like to disclose a conflict. It's a conflict between what the people of Hawaii wanted and what the Senate wanted. And now what is resulting is this. When you throw mud, you're going to get mud back in your face. Mr. Speaker, this is with great reservations …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. He's not asking for a ruling on a conflict. He's giving a speech."

Vice Speaker Karamatsu: "Madame Clerk, could you check the statement, the last part of the statement? Thank you."

At 10:29 o'clock a.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:31 o'clock a.m.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I stand corrected. I should not have stood on the basis of a conflict of interest. I should have said that I stand with strong reservations because this measure is in conflict with the will of the people of Hawaii who wanted Peter Young reappointed, and with which now he has initiated an investigation, which now we are going to have our fingerprints on, and the mud by which we are throwing at this issue is going to come back upon us. That was what I previously wished to state. Thank you very much."

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with some reservations. Just a couple of reservations, the first one being that procedurally, I do have some concerns when we pass substantive resolutions like this, this one being a Senate Concurrent Resolution that did not have full debate and discussion through our Committee process.

"And, number two, I think that this particular measure, based on what I know about it, will convene an investigative committee with full subpoena powers. A Joint Investigative Committee, both House and Senate. And if you take a look at the Constitution, I think the Constitution already provides the Senate with subpoena powers and the ability to do this.

"I go back a few years ago when we had the Special Joint Investigative Committee on Felix, and that took a lot of time and energy and that was a Joint Committee, but we fully supported it and it was endorsed by everyone from the start of the Session, I believe. And as we moved through, we understood that we had to move on this jointly. I just think that the Senate has been wrapped up in this issue for quite a while now. We haven't been privy to much of the discussion and I don't necessarily think that we have to be dragged into this, as well. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I would like to express my grave reservations, as well, and have them based on much of what the prior speaker just said. I am disturbed that we have not had a hearing on this side so the public could weigh in on this. And I am afraid that it may be an after-the-fact vendetta from the Senate. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations based on a number of the arguments of the previous speaker from Kailua. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. The title of this investigation seems to be dealing just mainly with the problems at the Bureau of Conveyances, which has been a longstanding problem. I've got some concerns about the makeup of the Investigative Committee and I hope that the Minority will have sufficient membership on that so that we'll have some kind of balanced representation. Thank you, Mr. Speaker."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I rise with reservations, Mr. Speaker. I apologize. I only got to the bottom of page 2. At the bottom of page 2, I'm quite disturbed by the last paragraph, and I don't like its implications and how it reads. It says:

> Whereas, despite the ongoing investigations by the Department of the Attorney General and Ethic Commission, the Legislature is highly concerned with the security of these recorded documents, private computer access and potential tampering of these documents, as well as the overall personnel and fiscal management of the Bureau of Conveyances.

"Basically, this paragraph reads to me that this Legislature does not trust the ongoing investigations of the Department of Attorney General and the State Ethics Commission to keep these documents private. I just wouldn't want to see this Legislature passing resolutions with this type of language that basically says our intentions that we really don't trust these investigations that are going on. I think that's just wrong. I do understand the concern. However, I do believe that the Attorney General and the State Ethics Commission are positions of honor that we have placed in the State of Hawaii, and I think just with that paragraph alone, the tone of this Resolution is very insulting."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Just very briefly. I think I need to counter some of the characterizations of this Resolution. Everybody knows who anybody who has done transactional work with the Bureau of Conveyances knows that it's a very problematic system, and that's been ongoing for several years. It's not necessarily attributable to one director. I don't think we're pointing fingers. But what we really need to do is realize that there is a huge backlog at that Department. It is dysfunctional.

"The Land Court and the regular Bureau of Conveyances often have this turf battle going on between them. And, really, we need to make sure that our system is going to be sound, because what this is talking about is the clearness of title. It's making sure that people, when they have their property, are assured that whatever is recorded is proper and that it's clean. That is a primary purpose, I think, of why we need to do this Resolution and Investigative Committee.

"Now, I think, some characterizations have been made that we don't trust the Attorney General or the Ethics Commission. But I think that's actually an overbroad statement because what we are doing at the Legislative Branch is making sure that if there are policy needs that have to happen, if there are additional resources, if there are changes to the law, if there are actual overarching core functions that need to be changed, then that is something the Legislature needs to undertake, and we will only be able to do that if we really spend the time and investigate this.

"As one person who had been on the Felix Investigative Committee, I can tell you that the tone and tenor of a hearing, when you have the subpoena power, when you have people testifying under oath, is dramatically different than anything you can do during the Legislative Session or interim, when people are just sitting there and giving their information. That is what we need if we are going to get to the core root of the problem. We need to have people in front of us accountable answering under oath, knowing that their testimony will be recorded and may be used against them if they are providing false statements. That is the kind of information we need if we are going to fix this system. Thank you very much."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I speak with some reservations. First of all, I think we're all aware that for years the Bureau of Conveyances has been understaffed and as legislators, including me, we supported taking money away from the Bureau of Conveyances for our special projects. The money from the conveyance tax originally was supposed to be for the Bureau of Conveyances, to support the Bureau of Conveyances. We've been tapping them all these past years for special projects and so they find themselves without sufficient staff.

"Now, of course, they could come back to the Legislature and ask for additional dollars, which I really don't know whether they did or not, but it's not because we weren't aware of the problem. So in some respect, we are culpable in the problems that we have there, and this is just kind of an 'eye opener' for the Members here. Sometimes if you point fingers, you'd better look at yourself. Thank you very much."

Representative Ward rose to respond, stating:

"Mr. Speaker, as the good Representative from Maui, as the keeper of the culture reminds this body, that there have been more egregious difficulties, a need for investigation in the past. For example, at the airport. Millions of dollars were missing. It makes the charges for this look petty, but there was no investigation. So, why now? Why are we rushing? When, in fact, why are we putting this issue at the forefront of the agenda. We haven't even had introductions yet.

"So, there seems to be a rush to make sure that we get this out front and center, that we made an investigation after going against the will of the people, and not appointing Peter Young to the Department of Land and Natural Resources. Thank you."

Representative Bertram rose to speak in opposition to the measure, stating:

"I rise in opposition. I've heard all the discussion and this is the first I've actually seen of it this morning. It just seems there is already an investigation going on. And I agree with the Representative from Wailuku that a lot of this is our own doing. It should really be left to the investigation that's already taking place and let them find out what's going on and then we could take the next steps, which could be, hopefully, giving them more money and more support. And, so, I rise in opposition."

Representative Morita rose to speak in support of the measure with reservations, stating:

"Thank you. I also have some serious reservations about the Resolution and would like to take the words of the speaker from Maui and the speaker from Pearl City as my own," and the Chair "so ordered." (By reference only.)

Representative Rhoads rose to speak in support of the measure, stating:

"In support. Responding to the Representative of Queen's Gate. Maybe we should have investigated some of the things that went on at the airport, but just because we didn't investigate it when we should have before, it doesn't mean we shouldn't investigate now.

"The allegations that have been made are very serious and if this body doesn't step in and do something, along with our Senate counterparts, I think we're falling down on our duty and I support this Resolution. Thank you."

Representative Nishimoto rose in support of the measure with reservations, and asked that the remarks of Representatives Takai and Souki be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Lee rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"I am with reservations. The recent confirmation hearings in the Senate for the Director of DLNR were conducted with sometimes inappropriate decorum. I felt that it was more like an inquisition than a hearing. I have no strong opinions about the wisdom of the proposed Investigative Committee, but rather question the timing—are we giving our approval to bad behavior of a legislative body by joining?"

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also vote aye, with reservations, and would like to have the words of the Chairman of Transportation taken as my own. This has been a longstanding problem. It's been decades. Thank you," and the Chair "so ordered." (By reference only.)

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. In regards to the discussion, I'd like to change my vote from with reservations to a no vote. The power in this Resolution is quite strong. And in regards to the process, I'd rather have it that we have had a full discussion on this prior to today."

Representative Wakai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose, stating:

"Mr. Speaker, I would like to change my with reservations vote to a no vote as well. And for the record, I would like to state that I represent the area from Hawaii Kai to Kalama Valley, and not Queen's Gate, as the gentleman from the Chinatown does not represent Hotel Street. He represents Downtown. Just for the record, Mr. Speaker."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Sonson rose, stating:

"I'm glad I'm the last person to stand up and so I'll make it very short. This is a very important Resolution. Whether we vote yes or no, the Senate's going to go through with this. I think it is incumbent upon us as the other half of the Legislature to participate; to at least be there and take part in the process.

"If you read the Resolution carefully, there's goals stated in there what we need to accomplish, and I think that we need to be there, whatever process that the Senate's going to go through to achieve these goals and we have not said our piece. Like the Chair of Education once said, 'If you are not at the table, you are part of the menu', and I wouldn't want the Senate to be looking at me in that manner. Thank you very much."

The motion was put to vote by the Chair and carried, and S.C.R. No. 226 entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE SECURITY OF RECORDED DOCUMENTS, PRIVATE COMPUTER ACCESS AND TAMPERING OF SUCH DOCUMENTS, AND THE OPERATIONS AND MANAGEMENT OF THE BUREAU OF CONVEYANCES," was adopted with Representatives Bertram, Finnegan and Ward voting no, and with Representative Caldwell being excused.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Ward introduced East-West Center and Kapiolani Community College students from East Timor, Mr. Jacinto Da Silva Caldas Belo and Mr. Helder Da Costa. They were accompanied by Ms. Jennifer Liu of Kapiolani Community College.

Representative Yamashita introduced Mrs. Mary and Mr. Spencer Nelson of Albuquerque, New Mexico. There were accompanied by their friend, Ms. Lois Tambalo, Office Manager of Representative Yamashita.

Representative Rhoads introduced former Senator, Rev. Bob Nakata, Ms. Carol Anzai, President of the Kukui Gardens Resident Association, and many residents of Kukui Gardens.

Representative Marumoto introduced her friend, Mr. Bill Green of Kahala Shell Service Station, and Ms. Melissa Pavlicek.

Representative Marumoto introduced the 'Flower Arrangement Ladies', Ms. Mae Gushikuma, Ms. Miwa Miura, Ms. Gladys Blondin, and Ms. Ethel Toyota, and thanked them for their flower arrangements in the State Capitol over the past 20 years.

Representative Thielen introduced environmentalists, Ms. Kat Brady, and Mr. Henry Curtis.

At 10:50 o'clock a.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:43 o'clock a.m.

Representative Waters introduced the 'Honorary Mayor of Waimanalo,' Mr. Hayward Kalima.

ORDER OF THE DAY

SUPPLEMENTAL CALENDAR #1

At this time, the Chair announced:

"As you know, the Senate President and the Speaker waived the Friday midnight deadline for the filing of Committee Reports and Conference Drafts for certain measures which were agreed upon in public on Friday evening. I want to take this opportunity to explain the procedural reasons why these reports and proposed drafts were not filed on Friday night, and the reasons why the President and the Speaker waived the deadline.

"Back in January of this year, the Senate President and the Speaker prepared an internal legislative timetable setting April 27th as the last day to file fiscal bills for constitutional decking purposes prior to Final Reading. On April 4th of this year, the President and the Speaker signed Conference Committee Guidelines that provided in paragraph 11(c) that all Conference Committee Reports for fiscal bills should be filed by 11:30 p.m. on Friday, April 27th.

"However, several measures were being negotiated up to the last few minutes before midnight on Friday night. Several Conference Committees, even though they had reached agreement on the substance of their measures, did not have time to prepare and adequately review the Conference Reports in final form of the Conference Drafts prior to the filing deadline. Therefore, the President and the Speaker exercised their powers in Rule 13 of the Conference Committee Guidelines for an exception to this deadline for these measures, which were agreed upon in public. They allowed these measures to be filed with the respective Clerk's offices prior to 12:00 noon, Saturday, April 28th.

"The President and the Speaker felt that since the Conferees had reached timely agreement on the bills allowing these measures to die based on an internal procedural deadline for filing the requisite paperwork with the Clerk's office in each Chamber was not in the best interest of the people of Hawaii. Rather, they felt it important to exercise the discretion that the guidelines gave them to waive that deadline and insure that important initiatives, such as tax relief, dam safety, children's health care, and the future of Kahuku Hospital would reach the Floor of both Chambers for Final Reading as the Conference Committees intended.

"I wish to emphasize that previous Legislatures, when facing similar situations in the past, have followed the same procedures we will be following on these measures. The Conference Reports and Conference Drafts for the measures received by 12:00 noon on Saturday, April 28th, are listed on today's Supplemental Order of the Day. Please note that these measures and any floor amendments appropriately offered and acted upon today on these measures will receive the required 48-hour notice in final form as required by the Constitution and will be before this Chamber for Final Reading on Thursday, May 3rd.

"The Chair will now entertain any floor amendments to any item listed on the Supplemental Order of the Day."

Representatives Yamashita and Chong, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 709, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 121) recommending that S.B. No. 709, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 121 and S.B. No. 709, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Representatives Green and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 810, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 122) recommending that S.B. No. 810, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 122 and S.B. No. 810, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1115, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 123) recommending that S.B. No. 1115, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 123 and S.B. No. 1115, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and Mizuno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1170, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 124) recommending that S.B. No. 1170, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124 and S.B. No. 1170, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred for a period of 48 hours.

Representatives Evans, Sonson and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 932, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 125) recommending that S.B. No. 932, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125 and S.B. No. 932, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," was deferred for a period of 48 hours.

Representatives Shimabukuro, Green and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 104, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 134) recommending that H.B. No. 104, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134 and H.B. No. 104, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Shimabukuro, Green, Takumi and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 531, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 135) recommending that H.B. No. 531, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135 and H.B. No. 531, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred for a period of 48 hours.

Representatives Morita and Carroll, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 226, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 136) recommending that H.B. No. 226, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136 and H.B. No. 226, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," was deferred for a period of 48 hours.

Representatives Herkes and Magaoay, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 90, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 137) recommending that H.B. No. 90, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137 and H.B. No. 90, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Tsuji, Morita and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 899, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 138) recommending that H.B. No. 899, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138 and H.B. No. 899, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," was deferred for a period of 48 hours.

Representatives Tsuji and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1221, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 139) recommending that H.B. No. 1221, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139 and H.B. No. 1221, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Waters and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1211, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 140) recommending that H.B. No. 1211, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140 and H.B. No. 1211, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred for a period of 48 hours.

Representatives Sonson and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 855, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 141) recommending that H.B. No. 855, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141 and H.B. No. 855, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred for a period of 48 hours.

Representatives Sonson, Shimabukuro and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 833, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 142) recommending that H.B. No. 833, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142 and H.B. No. 833, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred for a period of 48 hours.

Representatives Sonson and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1292, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 143) recommending that H.B. No. 1292, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143 and H.B. No. 1292, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1567, SD 1, presented a report (Conf. Com. Rep. No. 144) recommending that H.B. No. 1567, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144 and H.B. No. 1567, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," was deferred for a period of 48 hours.

Representatives Sonson and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 751, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 145) recommending that H.B. No. 751, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145 and H.B. No. 751, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1572, SD 1, presented a report (Conf. Com. Rep. No. 146) recommending that H.B. No. 1572, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146 and H.B. No. 1572, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1569, SD 1, presented a report (Conf. Com. Rep. No. 147) recommending that H.B. No. 1569, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147 and H.B. No. 1569, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1568, SD 1, presented a report (Conf. Com. Rep. No. 148) recommending that H.B. No. 1568, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148 and H.B. No. 1568, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Representatives Evans and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1345, HD 2, SD 3, presented a report (Conf. Com. Rep. No. 149) recommending that H.B. No. 1345, HD 2, SD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149 and H.B. No. 1345, HD 2, SD 3, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," was deferred for a period of 48 hours.

Representatives Evans and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 831, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 150) recommending that H.B. No. 831, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150 and H.B. No. 831, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," was deferred for a period of 48 hours.

Representatives Takumi, Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 24, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 151) recommending that H.B. No. 24, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 151 and H.B. No. 24, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was deferred for a period of 48 hours.

Representatives Souki, B. Oshiro and Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1757, HD 1, SD 3, presented a report (Conf. Com. Rep. No. 152) recommending that H.B. No. 1757, HD 1, SD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 152 and H.B. No. 1757, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1171, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 153) recommending that H.B. No. 1171, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 153 and H.B. No. 1171, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred for a period of 48 hours.

Representatives Takumi, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 19, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 154) recommending that H.B. No. 19, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 154 and H.B. No. 19, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Morita, Chang and Carroll, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1003, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 155) recommending that H.B. No. 1003, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 155 and H.B. No. 1003, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro, Herkes and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1359, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 156) recommending

that H.B. No. 1359, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 156 and H.B. No. 1359, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 55, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 157) recommending that H.B. No. 55, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 157 and H.B. No. 55, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 807, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 158) recommending that H.B. No. 807, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 158 and H.B. No. 807, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was deferred for a period of 48 hours.

Representatives Green and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 843, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 159) recommending that H.B. No. 843, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 159 and H.B. No. 843, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," was deferred for a period of 48 hours.

Representatives Green, Chang and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1477, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 160) recommending that H.B. No. 1477, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 160 and H.B. No. 1477, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," was deferred for a period of 48 hours.

Representatives Green, Chang and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 367, HD 1, SD 3, presented a report (Conf. Com. Rep. No. 161) recommending that H.B. No. 367, HD 1, SD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 161 and H.B. No. 367, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred for a period of 48 hours.

Representatives Green and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1368, SD 1, presented a report (Conf. Com. Rep. No. 162) recommending that H.B. No. 1368, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 162 and H.B. No. 1368, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Tsuji, Yamashita and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1220, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 163) recommending that H.B. No. 1220, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 163 and H.B. No. 1220, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," was deferred for a period of 48 hours.

Representatives Tsuji and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 400, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 164) recommending that H.B. No. 400, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 164 and H.B. No. 400, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Tsuji, Ito and Brower, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 399, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 165) recommending that H.B. No. 399, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 165 and H.B. No. 399, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Yamane and Manahan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1435, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 166) recommending that H.B. No. 1435, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 166 and H.B. No. 1435, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," was deferred for a period of 48 hours.

Representatives Yamane, Evans and Manahan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 575, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 167) recommending that H.B. No. 575, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 167 and H.B. No. 575, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and Manahan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1866, HD 3, SD 2,

presented a report (Conf. Com. Rep. No. 168) recommending that H.B. No. 1866, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 168 and H.B. No. 1866, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred for a period of 48 hours.

Representatives Yamane and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1719, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 169) recommending that H.B. No. 1719, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 169 and H.B. No. 1719, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred for a period of 48 hours.

Representatives Yamane and Manahan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1352, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 170) recommending that H.B. No. 1352, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 170 and H.B. No. 1352, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," was deferred for a period of 48 hours.

Representatives Morita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1718, HD 2, presented a report (Conf. Com. Rep. No. 171) recommending that S.B. No. 1718, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 171 and S.B. No. 1718, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," was deferred for a period of 48 hours.

Representatives Takumi, Sonson and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 686, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 172) recommending that S.B. No. 686, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 172 and S.B. No. 686, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," was deferred for a period of 48 hours.

Representatives Chang, Takumi and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 688, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 173) recommending that S.B. No. 688, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 173 and S.B. No. 688, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1614, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 174) recommending that S.B. No. 1614, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 174 and S.B. No. 1614, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1820, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 175) recommending that S.B. No. 1820, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 175 and S.B. No. 1820, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi, Chang, Sonson, Yamashita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1931, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 176) recommending that S.B. No. 1931, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 176 and S.B. No. 1931, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Souki, Yamashita, McKelvey and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1133, SD 3, HD 1, presented a report (Conf. Com. Rep. No. 177) recommending that S.B. No. 1133, SD 3, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 177 and S.B. No. 1133, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Shimabukuro, Herkes and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 600, HD 2, presented a report (Conf. Com. Rep. No. 178) recommending that S.B. No. 600, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 178 and S.B. No. 600, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," was deferred for a period of 48 hours.

Representatives Yamashita, Souki and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1034, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 179) recommending that S.B. No. 1034, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 179 and S.B. No. 1034, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Chang, Yamashita, Yamane and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1922, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 180) recommending that S.B. No. 1922, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 180 and S.B. No. 1922, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," was deferred for a period of 48 hours.

Representatives Yamashita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 317, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 181) recommending that H.B. No. 317, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 181 and H.B. No. 317, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," was deferred for a period of 48 hours.

Representatives Yamashita and Sagum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 310, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 182) recommending that H.B. No. 310, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 182 and H.B. No. 310, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was deferred for a period of 48 hours.

Representatives Yamashita, Takumi, Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1670, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 183) recommending that H.B. No. 1670, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 183 and H.B. No. 1670, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," was deferred for a period of 48 hours.

Representatives Yamashita, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1083, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 184) recommending that H.B. No. 1083, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 184 and H.B. No. 1083, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred for a period of 48 hours.

Representatives Yamashita and Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1659, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 185) recommending that H.B. No. 1659, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 185 and H.B. No. 1659, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Representatives Yamashita, Magaoay, Waters, Chong and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1270, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 186) recommending that H.B. No. 1270, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 186 and H.B. No. 1270, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," was deferred for a period of 48 hours.

Representatives Chang, Takumi and Sagum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 767, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 187) recommending that H.B. No. 767, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 187 and H.B. No. 767, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION," was deferred for a period of 48 hours.

Representatives Chang and Sagum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 777, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 188) recommending that H.B. No. 777, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 188 and H.B. No. 777, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM," was deferred for a period of 48 hours.

Representatives Chang, Takumi and Tokioka, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1014, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 189) recommending that H.B. No. 1014, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 189 and H.B. No. 1014, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Green and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1764, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 190) recommending that H.B. No. 1764, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 190 and H.B. No. 1764, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," was deferred for a period of 48 hours.

Representatives Evans and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 914, SD 2, HD 1, presented a report (Conf.

Com. Rep. No. 191) recommending that S.B. No. 914, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 191 and S.B. No. 914, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS," was deferred for a period of 48 hours.

Representatives Evans and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1174, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 192) recommending that S.B. No. 1174, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 192 and S.B. No. 1174, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," was deferred for a period of 48 hours.

Representatives Takumi, Chang and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 613, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 193) recommending that S.B. No. 613, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 193 and S.B. No. 613, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi, Tsuji, Yamashita and Brower, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 885, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 194) recommending that S.B. No. 885, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 194 and S.B. No. 885, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Takumi and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 603, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 195) recommending that S.B. No. 603, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 195 and S.B. No. 603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Shimabukuro, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1917, SD 3, HD 2, presented a report (Conf. Com. Rep. No. 196) recommending that S.B. No. 1917, SD 3, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 196 and S.B. No. 1917, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Representatives Nakasone, Green and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1792, SD 3, HD 3, presented a report (Conf. Com. Rep. No. 197) recommending that S.B. No. 1792, SD 3, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 197 and S.B. No. 1792, SD 3, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Representatives Yamashita and Sagum, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 907, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 198) recommending that S.B. No. 907, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 198 and S.B. No. 907, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," was deferred for a period of 48 hours.

Representatives Yamashita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1631, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 199) recommending that H.B. No. 1631, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 199 and H.B. No. 1631, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1008, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 200) recommending that H.B. No. 1008, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 200 and H.B. No. 1008, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," was deferred for a period of 48 hours.

Representatives Green, Sonson and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 212, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 201) recommending that H.B. No. 212, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 201 and H.B. No. 212, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was deferred for a period of 48 hours.

Representatives Chang and Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1529, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 202) recommending that H.B. No. 1529, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 202 and H.B. No. 1529, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Representatives Yamashita, Chang, Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1365, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 203) recommending that S.B. No. 1365, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 203 and S.B. No. 1365, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," was deferred for a period of 48 hours.

Conf. Com. Rep. No. 143 and H.B. No. 1292, H.D. 1, S.D. 2, C.D. 1:

[Note: Floor Amendment No. 18 was received and subsequently withdrawn before being offered.]

Conf. Com. Rep. No. 152 and H.B. No. 1757, H.D. 1, S.D. 3, C.D. 1:

At this time, Representative Souki offered Floor Amendment No. 19, amending H.B. No. 1757, H.D. 1, S.D. 3, C.D. 1, as follows:

SECTION 1. House Bill No. 1757, H.D. 1, S.D. 3, C.D. 1 (RELATING TO TRANSPORTATION), is amended by amending section 2 to read as follows:

"SECTION 2. Chapter 237, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"**§237- Exemption of sale of alcohol fuels.** (a) There shall be exempted from and excluded from the measure of the taxes imposed by this chapter all of the gross income or gross proceeds arising from the sale of alcohol fuels, as defined in subsection (b), for consumption or use by the purchaser and not for resale.

(b) For the purposes of this section, "alcohol fuels" means neat biomass-derived alcohol liquid fuel or a petroleum-derived fuel and alcohol liquid fuel mixture consisting of at least ten volume per cent denatured biomass-derived alcohol commercially usable as a fuel to power aircraft, seacraft, spacecraft, motor vehicles, or other motorized vehicles.

(c) A producer, wholesaler, or retailer of alcohol fuels shall pass any savings realized from this exemption on to the end consumer. Any producer or wholesaler who violates this subsection shall be subject to a fine of $100,000. Notwithstanding any law to the contrary, a violation of this subsection shall be deemed an unfair or deceptive act or practice in violation of and enforceable under chapter 480.

(d) The director of taxation shall adopt rules pursuant to chapter 91 necessary to administer this section."

At 11:48 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:49 o'clock a.m.

Representative Souki moved that Floor Amendment No. 19 be adopted, seconded by Representative B. Oshiro.

Representative Souki rose to speak in support of the proposed floor amendment, stating:

"Yes, Mr. Speaker, this bill needs to be amended to remove all references to 'profit' that you have in the prior draft of H.B. No. 1757 on page 4. The word 'profit' in there would give an implication of the gas cap, where anything above the June 30th profit area would be suspected of going beyond the exemption that we are providing, and they could then be subject to a penalty of $100,000. So this measure would clear that up and would remove all references to 'profit' in this measure."

Representative Yamashita rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I have a ruling on a potential conflict? I am a partner in a gas station that sells alcohol fuels," and the Chair ruled, "no conflict."

Representative Ward rose, stating:

"Mr. Speaker, I rise with … it's not a reservation. A question. As long as we're not doing price fixing and we're taking profit out of the context of then not passing it on. I hope that we're passing on, or something in the Committee Report makes it very clear that this is not going to be where 'profit' becomes a bad word. And corporations that do make a profit will hire people, and are not going to be maligned by this. My point being that if we're 'word-smithing' with an amendment, that we do it carefully, and that we not do it in such a way to denigrate the word, 'profit'. Thank you, Mr. Speaker."

The Chair then addressed Representative Ward, stating:

"Please state your position, Representative Ward."

Representative Ward, stated:

"In support, with reservations."

Representative Souki rose to respond, stating:

"Yes, Mr. Speaker, I believe to the contrary. The removal of the word, 'profit' is to provide for the dealers to continue to earn as much profit as they can. The word, 'profit' in the bill right now would provide for a mini gas cap. It would mean if you go beyond the profit in the future, then you will be suspect and subject to the fine. That's one of the reasons. And this is to help the business person, my friend, and not to hamper their ability to make a profit."

Representative Ward, rose to respond, stating:

"Mr. Speaker, a rose by any other name. Thank you."

Representative Meyer rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of the amendment. I did receive numerous e-mails. The original language was fairly problematic and it set up service station owners to be very defensive. To me it looked like they could be found guilty of not passing on the savings just by a slight difference in the price. So I think that this will take care of that problem. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 19, amending H.B. No. 1757, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," be adopted, was put to vote by the Chair and carried.

At 11:53 o'clock a.m., the Chair noted that Floor Amendment No 19 was adopted, and that H.B. No. 1757, H.D. 1, S.D. 3, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 176 and S.B. No. 1931, S.D. 2, H.D. 3, C.D. 1

At this time, Representative Takumi offered Floor Amendment No. 16, amending S.B. No. 1931, S.D. 2, H.D. 3, C.D. 1, as follows:

SECTION 1. Senate Bill No. 1931, S.D. 2, H.D. 3, C.D. 1 is amended by amending sections 1 and 2 to read as follows:

"SECTION 1. (a) There is established an educational workforce working group within the department of labor and industrial relations for administrative purposes only. The chairperson of the workforce development council or the chairperson's designee shall convene the first meeting of the educational workforce working group no later than August 1, 2007, at which time the members shall select a chair, to examine and address the following issues:

(1) How well the workforce needs of Hawaii are currently being met;

(2) How prepared the State is to meet the workforce needs of the future;

(3) What recommendations can be made to improve Hawaii's educational system to fulfill the workforce needs of the future;

(4) What is the current relationship between the public schools and emerging industries;

(5) What percentage of high school students participate in any form of vocational or professional training outside of the school setting;

(6) What aspects of high school curriculum, standards, and assessment strategies have a direct relationship to the State's future workforce needs;

(7) What are the challenges or impediments to creating a more direct relationship between schools and economy- driving industries of the State;

(8) How might autonomous schools-within-schools, magnet schools, specialized schools, and charter schools be better used to create more direct links between high schools and economy-driving industries of the State; and

(9) How might the size of public schools, the distribution of discretionary funding, the decentralized authority of school community councils or charter school local school boards, and other organizational reforms be better used to satisfy the workforce development needs of the information and technology age.

(b) The educational workforce working group shall submit a report on its findings and recommendations regarding the issues set forth in subsection (a), including any recommendations and proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2008.

(c) The membership of the educational workforce working group shall be as follows:

(1) Two representatives appointed by the president of the senate;

(2) Two representatives appointed by the speaker of the house of representatives;

(3) The director of business, economic development, and tourism or the director's designee;

(4) The superintendent of education or the superintendent's designee;

(5) Two representatives from the University of Hawaii system; provided that at least one shall be the chancellor of a community college;

(6) Two high school principals appointed by the superintendent of education from the high school principals leadership group;

(7) The executive director of the Hawaii P-20 council or the executive director's designee;

(8) The chairperson of the workforce development council or the chairperson's designee;

(9) The president and chief executive officer of Enterprise Honolulu or the president and chief executive officer's designee;

(10) The president of the Hawaii Science and Technology Council or the president's designee;

(11) The president and chief executive officer of the Hawaii Community Foundation or the president and chief executive officer's designee; and

(12) The executive director of the Honolulu Community Action Program or the executive director's designee.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of $25,000 or so much thereof as may be necessary for fiscal year 2007-2008 for the educational workforce working group.

The sum appropriated shall be expended by the department of labor and industrial relations for the purposes of this part."

Representative Takumi moved that Floor Amendment No. 16 be adopted, seconded by Representative B. Oshiro.

Representative Takumi rose to speak in support of the proposed floor amendment, stating:

"Thank you very much, Mr. Speaker. This is a technical, friendly amendment that was suggested by the Senate leadership. It merely changes the expending agency in this bill from the Department of Business, Economic Development, and Tourism, to the Department of Labor and Industrial Relations. Thank you."

Representative Ward rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, I think this is a bit more than a technical, nonsubstantive amendment and I rise in opposition. Having sat through the testimony, hearing the Department of Labor saying that they don't want it, and DBEDT is the more logical, professional, competent and qualified area to do this, I am rather surprised that suddenly this would appear on the Floor as a technical, nonsubstantive amendment. Unless, of course, DLIR has contacted us or somebody or someone can state that they have agreed to do this, because the consensus was this is DBEDT's baby. It's the best thing that they could do because they have the wherewithal, not only professionally, but the machinery, and the mathematical techniques that are needed for this.

"So, I really question how this can be a technical, nonsubstantive, friendly amendment, and just because the Senate did it, doesn't mean that we should agree with it. So, I take this as very suspect and without the agreement or the consensus of the Departments in this State. Thank you."

Representative Pine rose to speak in opposition to the proposed floor amendment, stating:

"Yes, just in opposition, Mr. Speaker. I'll have to concur with the previous speaker. It is not a technical amendment, and the reason I'm opposing this is because it really didn't go through the correct process.

"Just for the information of the body, what happened in this process was that on March 22 at 8:30 a.m., there was a Joint Committee on Labor and Public Employment and the Economic Development and Business Concerns Committee. And on that day, the Director of DBEDT had said repeatedly, he has been asking this Legislature to please put this Council into DBEDT. He felt that with all the new things we're doing here at the Capitol with economic development and combining with the workforce, it was the best merge for this to happen. And so all the members of the Committee on Labor and Public Employment and the Committee on Economic Development and Business Concerns voted aye. There were no reservations or noes.

"This also passed out in the Finance Committee, as well. It also passed out in Final Reading, as well in this form. And so, now, in the eleventh hour, after it also passed out of Conference Committee despite all these people voting in favor in keeping this in the DEBDT Department, now we're changing in the eleventh hour as a technical amendment. I just have to disagree with that, and that's why I'm voting no."

Representative Marumoto rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, based on the comments from the previous two speakers, I will be voting no on this amendment. Thank you."

Representative Ching rose to speak in opposition to the proposed floor amendment, stating:

"Thank you. Similar comments. I'll be voting no based on the arguments that were set forth by the Representative from Ewa Beach. Thank you."

Representative Finnegan rose to speak in opposition to the proposed floor amendment, stating:

"Thank you. Please note my no vote, Mr. Speaker. I do feel that the proper department to be guiding this along is the department that is looking into the future for this. Thank you."

Representative Meyer rose and asked that the Clerk record a no vote for her on the proposed floor amendment, and the Chair "so ordered."

At 11:58 o'clock a.m., Representative Sonson requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:04 o'clock p.m.

Representative Thielen rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, I'd like to also cast a no vote for the reasons expressed by my colleagues. Thank you."

The motion that Floor Amendment No. 16, amending S.B. No. 1931, S.D. 2, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING EDUCATION," be adopted, was put to vote by the Chair and carried, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no.

At 12:04 o'clock p.m., the Chair noted that Floor Amendment No 16 was adopted, and S.B. No. 1931, S.D. 2, H.D. 3, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 182 and H.B. 310, H.D. 2, S.D. 2, C.D. 1:

At this time, Representative Caldwell offered Floor Amendment No. 20, amending H.B. 310, H.D. 2, S.D. 2, C.D. 1, as follows:

SECTION 1. House Bill No. 310, H.D. 2, S.D. 2, C.D. 1 (RELATING TO TECHNOLOGY), is amended by adding a new section 3 to read:

"SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $50,000 or so much thereof as may be necessary for fiscal year 2007-2008 for the purpose of supporting the work of the Hawaii broadband task force established in section 2.

The sum appropriated shall be expended by the office of the auditor for the purposes of this Act."

Representative Caldwell moved that Floor Amendment No. 20 be adopted, seconded by Representative B. Oshiro.

Representative Caldwell rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I offer this amendment. It's a technical amendment providing for a $50,000 appropriation out of the general fund. Simple as that. Thank you very much, Mr. Speaker."

The motion that Floor Amendment No. 20, amending H.B. 310, H.D. 2, S.D. 2, C.D. 1 entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," be adopted, was put to vote by the Chair and carried.

At 12:05 o'clock p.m., the Chair noted that Floor Amendment No 20 was adopted, and that H.B. 310, H.D. 2, S.D. 2, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 186 and H.B. No. 1270, H.D. 2, S.D. 2, C.D. 1:

At this time, Representative Caldwell offered Floor Amendment No. 21, amending H.B. No. 1270, H.D. 2, S.D. 2, C.D. 1, as follows:

SECTION 1. House Bill No. 1270, H.D. 2, S.D. 2, C.D. 1 (RELATING TO STATE PLANNING), is amended as follows:

1. By adding a new section 5 to read:

"SECTION 5. There is appropriated out of the statewide geospatial information and data integration special fund created in section 2 of this part the sum of $500,000 or so much or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 for the purposes of the statewide geospatial information and data integration special fund.

The sums appropriated shall be expended by the office of planning of the department of business, economic development, and tourism for the purposes of the statewide geospatial information and data integration special fund."

2. By renumbering section 5 as section 6, section 6 as section 7, section 7 as section 8, and section 8 as section 9.

Representative Caldwell moved that Floor Amendment No. 21 be adopted, seconded by Representative B. Oshiro.

Representative Caldwell rose to speak in support of the proposed floor amendment, stating:

"This is another technical amendment. It increases the expenditure ceiling to $500,000. That's it. Technical. Thank you."

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I want to disclose a potential conflict. My daughter is the Director of the Office of Planning," and the Chair ruled, "no conflict."

The motion that Floor Amendment No. 21, amending H.B. No. 1270, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING" was put to vote by the Chair and carried.

At 12:06 o'clock p.m., the Chair noted that Floor Amendment No 21 was adopted, and that H.B. No. 1270, H.D. 2, S.D. 2, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 197 and: S.B. No. 1792, S.D. 3, H.D. 3, C.D. 1:

At this time, Representative Tokioka offered Floor Amendment No. 22, amending S.B. No. 1792, S.D. 3, H.D. 3, C.D. 1, as follows:

SECTION 1. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1, is amended by amending section 2 as follows:

1. Page 5, lines 9 and 17: By deleting the word "regions" and inserting "regional systems".

2. Page 5, line 17: By deleting the word "region" and inserting "regional system".

3. Page 6, line 1: By adding "by the corporation" following the word "added" and adding the word "system" following the word "regional".

4. Page 6, line 5: By deleting the word "region" and inserting "regional system".

5. Page 7: By deleting lines 6 through 11 and inserting: "Four members shall be appointed by the governor within thirty days from a list of eight individuals nominated by the regional public health facility management advisory committee within fifteen days of the effective date of this Act. These individuals may be medical and health care ..."

6. Page 7, line 22; page 8, lines 3, 11 and 15; and page 9, line 9: By deleting "region" and inserting "regional system".

7. Page 10, line 20: By deleting the word "The" and inserting "Each".

8. Page 11, line 2: By deleting the word "region" and inserting "regional system".

9. Page 11, lines 14 and 15: By deleting the word "The" and inserting "Each"; deleting the phrase "the regional chief executive officer's" and inserting "their"; and changing "designee" to "designees".

10. Page 11, line 19: By deleting the word "region" and inserting "regional system".

SECTION 2. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 10 at page 26, line 22; and page 27, lines 1 and 2, as follows: By deleting the word "region" and inserting "regional system".

SECTION 3. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 17 at page 42, line 18, as follows: By deleting the word "region" and inserting "regional system".

SECTION 4. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 18 at page 43, line 15, as follows: By deleting the word "regions" and inserting "regional systems".

SECTION 5. Senate Bill No. 1792, S.D.3, H.D. 3, C.D. 1 is amended by amending section 19 as follows: "By amending section 323F-3(a) and (b), Hawaii Revised Statutes, to read as follows:

"(a) The corporation shall be governed by a [~~thirteen-member~~] fifteen-member board of directors [~~which~~] that shall carry out the duties and responsibilities of the corporation.

(b) [~~Ten~~] Twelve members of the corporation board shall be appointed [~~by the governor~~] as follows:

(1) [~~One member from region I who resides~~] Two members from regional system I who reside in the city and county of Honolulu[~~;~~] shall be appointed by the governor from a list consisting of four individuals, two individuals submitted by the speaker of the house of representatives and two individuals submitted by the president of the senate within fifteen days of the effective date of this Act; provided that this list shall not include physicians;

(2) [~~One member from region II who resides~~] Two members from regional system II who reside in the county of Kauai[~~;~~] shall be appointed by the governor from a list consisting of four individuals, two individuals submitted by the speaker of the house of representatives and two individuals submitted by the president of the senate within fifteen days of the effective date of this Act; provided that this list shall not include physicians;

(3) [~~One member from region III who resides~~] Two members from regional system III who reside in the county of Maui[~~;~~] shall be appointed by the governor from a list consisting of four individuals, two individuals submitted by the speaker of the house of representatives and two individuals submitted by the president of the senate within fifteen days of the effective date of this Act; provided that this list shall not include physicians;

(4) [~~One member from region IV who resides~~] Two members from regional system IV who reside in the eastern section of the county of Hawaii[~~;~~] shall be appointed by the governor from a list consisting of four individuals, two individuals submitted by the speaker of the house of representatives and two individuals submitted by the president of the senate within fifteen days of the effective date of this Act; provided that this list shall not include physicians;

(5) [~~One member from region V who resides~~] Two members from regional system V who reside in the western section of the county of Hawaii[~~;~~] shall be appointed by the governor from a list consisting of four individuals, two individuals submitted by the speaker of the house of representatives and two individuals submitted by the president of the senate within fifteen days of the effective date of this Act; provided that this list shall not include physicians;

(6) [~~One member from region II who resides in the county of Kauai or from region III who resides in the district of Hana or on the island of Lanai; provided that in no event shall the member be appointed from the same region for two consecutive terms; and~~] Two additional members who reside in the State shall be appointed by the governor.

[~~(7) Four at-large members who reside in the State.~~

~~The eleventh member shall be the chairperson of the executive public health facility management advisory committee, who shall serve as an ex officio, voting member.~~

~~The twelfth member,~~] The thirteenth and fourteenth members, who shall serve as [~~a~~] voting [~~member,~~] members, shall be [~~a physician~~] physicians with active medical staff privileges at one of the corporation's public health facilities. The physician [~~member~~] members shall each serve a term of two years. The initial physician [~~member~~] members shall be from [~~region~~] regional system II, and subsequent physician members shall come from [~~regions~~] regional systems IV, III, and V respectively. The physician member [~~position~~] positions shall continue to rotate in this order. The physician [~~member~~] members shall be appointed to the corporation board by a ~~simple majority vote of the members of the executive public health facility management advisory committee~~] two-thirds majority vote of the corporation board from a list of qualified nominees submitted by the public health facility management advisory [~~committee for the region from which the physician member is to be chosen.~~] committees or by any regional system board. If for any reason a physician member is unable to serve a full term, the remainder of that term shall be filled by a physician from the same [~~region.~~] regional system.

The [~~thirteenth~~] fifteenth member shall be the director of health or the director's designee, who shall serve as an ex officio, voting member.

Appointments to the corporation board, with the exception of the chairperson of the executive public health facility management advisory committee and the regional physician member, shall be made by the governor, subject to confirmation by the senate pursuant to section 26-34. [~~Prior to the transfer date, the public health facility management advisory committees appointed pursuant to section 323-66 for each county may recommend names to the governor for each position on the corporation board designated for a region which corresponds to its county. After the transfer date, the public health facility management advisory committees appointed pursuant to section 323F-10 for each region may make such recommendations to the governor. The appointed board members shall serve for a term of four years; provided that upon the initial appointment of the first ten members:~~

~~(1) Two at-large members shall be appointed for a term of two years;~~

~~(2) Three at-large members shall be appointed for a term of three years; and~~

~~(3) Five regional members shall be appointed for a term of four years.~~]

The appointed board members shall serve for a term of four years; provided that the first member appointed from each regional system shall be appointed for a term of two years.

Any vacancy shall be filled in the same manner provided for the original appointments. The corporation board shall elect its own chair from among its members. Appointments to the corporation board shall be as representative as possible of the system's stakeholders as outlined in this subsection."

SECTION 6. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 20 at page 49, lines 14 and 17 by deleting the words "region's" and "region" and inserting "regional system's" and "regional system", respectively.

SECTION 7. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 23 as follows:

1. Page 53, line 3: By deleting the word "region" and inserting "regional system"

2. Page 53, lines 4 and 5: By inserting the word "system" after "regional".

3. Page 53, line 18: By deleting "regions" and inserting "regional systems".

4. Page 54, line 19: By deleting the phrase ", either directly or through" and adding "and" before the word "any".

5. Page 55, lines 7 and 12; page 56, line 9; page 57, line 20; page 58, line 8; and page 60, line 11: By deleting the word "region" and inserting "regional system".

6. Page 56, line 5: By adding the word "and" after "interest;".

7. Page 59, lines 11, 12, and 15: By deleting the word "regions" and inserting "regional systems"; and at line 10, by deleting the word "region's" and inserting "regional system's".

8. Page 58, line 18; page 59, lines 1 and 17; page 60, line 1; page 63, line 9; and page 74, lines 4 and 6: By adding the word "system" after "regional".

9. By amending section 323F-7 (a)(11), Hawaii Revised Statutes, to read as follows:

"(11) Suing and being sued; provided that only the corporation may sue or be sued; and provided further that the corporation and regional system boards shall enjoy the same sovereign immunity available to the State;"

10. Page 62, line 3; page 63, line 11; page 64, line 17; page 65, lines 6 and 22; page 66, lines 9, 11, and 12; page 67, line 14; page 68, line 4; page 70, line 9; page 71, line 12; page 72, line 7; and page 73, lines 13, 15, and 19; and page 74, line 3; page 76, line 19; page 80, lines 12 and 13; page 81, lines 15 and 16: By deleting the word "region" or "regions" and inserting "regional system" or "regional systems", as the case may be.

11. Page 74, line 9: By deleting the word "and" and inserting "and 103D," following "41D,".

SECTION 8. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 30 as follows:

Page 84, line 21; page 86, lines 4, 10, 18, 19, and 21; and page 87, lines 2 and 8: By deleting the word "region" or "regions" and inserting "regional system" or "regional systems", as the case may be.

SECTION 9. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 31 at page 88, line 17, by deleting the word "region" and inserting "regional system".

SECTION 10. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 35 as follows:

1. Page 91, lines 7, 13, 20; page 92, lines 4 and 7; and page 94, line 13: By deleting the word "region" or "regions" and inserting "regional system" or "regional systems", as the case may be.

2. Page 94, line 7: By inserting the phrase "is developed," prior to the word "the".

3. Page 94, line 10: By inserting the phrase ", as of April 1, 2007," prior to the word "and".

4. Page 94, line 14, by inserting the word "system" prior to the word "board".

SECTION 11. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 36 at page 95, line 2, by inserting "and before July 1, 2007," before the word "shall".

SECTION 12. Senate Bill No. 1792, S.D. 3, H.D. 3, C.D. 1 is amended by amending section 41 as follows:

"SECTION 41. This Act shall take effect on July 1, 2007; provided that[~~:~~

~~(1) Section 19 shall take effect on January 1, 2009;~~

~~(2) Section 16 and section 323F-7(c)(30)(B), Hawaii Revised Statutes, shall be repealed on January 1, 2009, and the statutes amended in those sections shall be reinstated in the form they were in before the adoption of this Act; and~~

~~(3) The~~] the amendments made to section 323F-7(c)(15), Hawaii Revised Statutes, in section 23 of this Act shall not take effect if H.B. No. 1764 in any form passed by the legislature, regular session of 2007, becomes an Act.

Representative Tokioka moved that Floor Amendment No. 22 be adopted, seconded by Representative B. Oshiro.

Representative Tokioka rose to speak in support of the proposed floor amendment, stating:

"Yes, Mr. Speaker, thank you. I think with all of the deliberation that we've had on this one particular item, I think everybody who has gone through it realizes that this piece of the bill is a vital part of it. I think all of the Members who were involved in it from one side or the other feel that this is an important item. I'll just go over the proposed revisions as briefly as I can, Mr. Speaker.

"What it does, what it requests to do, is to change the Board makeup. And what this will do for the regional system in the City and County of Honolulu, it will change it from one member to two members. In the regional system on Kauai, it will change it from one member to two members. In the regional system of Maui, it will change it from one member to two members. In the regional system from East Hawaii, it will change it from one member to two members. In the regional system of West Hawaii, it will change it from one member to two members.

"Four at-large members will be deleted, and the 13th and 14th members will be physicians. And the final member, Mr. Speaker, will be a member designated by the Director of Health as an ex-officio voting member.

"This also, Mr. Speaker, gives the Board a lot more autonomy and it also gives them a waiver of the procurement process. So, that's the amendment, Mr. Speaker. Thank you very much."

Representative Herkes rose, stating:

"I believe the amendment also changes the effective date."

Representative Marumoto rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. It sounds like this would make the Board a more equitable representation calling for two from each regional district, and I'm glad to see that.

"But, on the other hand, I must rise in opposition because these 10 or 11 amendments were laid down on our desks. We convened about 20 minutes ago and we have not had time to adequately digest these amendments. True, some were technical, but on the other hand, this one, No. 22, is a 97-page bill, and just the enumerated descriptions runs to at least four pages, five, maybe six. It's a little too much to digest too quickly, and for fear of voting for something that I do not know what it's about, I must vote no. Thank you very much."

At 12:11 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:12 o'clock p.m.

The Chair then stated:

"Members, we are going to take a recess and have lunch until 1:00, for Minority Members and also Majority Members. So, recess subject to the call of the Chair."

At 12:12 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:15 o'clock p.m.

Representative Meyer rose to speak in opposition to the proposed floor amendment, stating:

"I'm rising in opposition to this amendment. The way these amendments have been made, it would be changing the way the Board members are selected. It takes the Governor entirely out, then it asks the Speaker of the House and the President of the Senate to come up with names within fifteen days of the effective date of this Act.

"It appears that the intention is to get rid of the Board members that are there now as soon as possible and put in people that are of the liking of the Legislative leaders. I don't see that that's an improvement to the underlying bill. Of course, I have a problem with the underlying bill as well, but I will be voting no on this amendment."

Representative Ward rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, this is a good bill, but with a bad way of getting around. What is good about it in that it has pushed people on both sides of the issue time, and time again. In the eleventh hour, when we did the Conference Committee on Friday night, came in controversial. Now here we've got another amendment on top of that amendment which is eleventh hour. I'm not sure whether we know where we're going, or we're not sure what we're supposed to be doing, or who's driving this train, but it seems to be getting worse rather than better.

"And my suggestion is that the latest is, the Governor's not very happy with even this change and I think we're, the three branches of government, have to be somewhat in a consensus with what we're going to do with it because it's all of our hospital system.

"So with that, I would hope the good Representative who's led this charge and defended the faith of the HHSC will say a few things. And I don't mean to put him on the spot, but probably the most authoritative speaker on this is Dr. Josh Green. And I yield to him if he would be so kind to say something."

Representative Green rose to speak in support of the proposed floor amendment with reservations, stating:

"I guess I've been called out a little bit. Thank you, though. I stand up in support with reservations of the amendment. I think there are some good things that are happening with this amendment. I do appreciate the work to get equal representation from every region. I think that's very important as we proceed toward Regional Boards. I do reserve final judgment on the bill until Thursday.

"I'm just not positive if the pace is right, getting to this end that we do want, which is local control for all of the regions. That's what, I think, matters to me most. So I do want to see the good work that everyone's put into this to yield that fruit, which is a safe and

productive health care system that doesn't have any major problems in its transition. So I will be thinking a lot about this bill in the next 48 hours, and so I'll be voting with reservations on the amendment recognizing the good work, but also still looking at the whole to see if it's going to improve matters. Thank you."

Representative Finnegan rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I fluctuate between going with reservations and no, but I'll go ahead and say no. The reason why I'm saying no is, there's a slight possibility that I may not be here on Thursday to actually see the outcome of the amendment and get some feedback. But this particular issue has gone from being a good bill, to a not so good bill, and it really is putting HHSC as our State system for hospitals, which is a huge decision that all of us have to make. And going back and forth between whether or not it's good for the system.

"Mr. Speaker, the direction that it's heading is probably better, but I have to admit that the process was one of much confusion, with the allowances that both the Senate President and the Speaker had made because of course, this is a difficult bill. So it went to the last hour. But through that there were different, aside from the actual amendments that you see here, or the amendments that ended up on the website, that there were other amendments floating around which we tried to keep in sync with.

"So at this point in time, it's such a confusing issue on whether or not the words are representative of keeping the Hawaii Health Systems Corporation in a good situation to not hurt other hospitals or our Statewide system. I am very much for local control, but I do think that as we move forward that it deserves more open debate. Because of the many changes it makes it difficult to decide on this particular bill. Thank you."

Representative Takai rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I rise in opposition to this floor amendment. Thank you. I wanted to first of all thank the Representative who introduced this particular floor amendment for at least addressing some of the concerns raised after the Conference Committee deliberations and the report out as CD 1. However, I cannot support anything right now in terms of a floor amendment if I don't support the underlying bill.

"And I know the discussion for the underlying bill will come up on Thursday, but it doesn't make sense to me at this point if I am going down on the underlying bill, that I support this floor amendment. So to be consistent, and I'm not reserving my final vote to Thursday. I'm already going to vote down on the final bill. So to be consistent, I will have to not support this floor amendment. Thank you, Mr. Speaker. My vote is no."

Representative Herkes rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker, in strong support. In response to one of the earlier speakers, we know exactly where we're going with HHSC. We're trying to get local control over the hospitals and I represent two of them in the System. The Big Island has five of them.

"There have been numerous problems over the years with the management of HHSC. It's got a bloated bureaucracy here in Honolulu. By statute, I think that they're supposed to be limited to thirteen people here, and they've got over a hundred. For example, Kona Hospital was charged for an attorney and they didn't even know it. HHSC has five attorneys and one of the problems that the hospitals have is, they don't get any financial reports. They have absolutely no idea what their operating costs are.

"Over the years we've had numerous people within the system asking to be anonymous, complaining about the CIP that's going to hospitals that the hospitals don't want or need it. I know of a CFO at one of our hospitals that was discharged. She was discharged because she wouldn't falsify documents. She wouldn't falsify an overstatement of revenues. In order to shut her up, they gave her severance on the condition that she sign a letter of confidentiality. That's happened two or three times. The HHSC Board allows the Chief Executive Officer to spend up to a half a million dollars without prior approval.

"Look at the abuses that the Legislative Auditor has pointed out on the procurement side. The month before they were brought in, kicking and screaming, to the procurement system, they extended the contract with Clinical Labs for five years. That's millions and millions of dollars without any consideration of going to bid at all.

"Mr. Speaker, I could talk about an hour on the irregularities in the current management of HHSC which includes their Board, because they don't seem to want to take control of it. A few years ago, there was some question about the amount of money that goes to the HHSC. And as a Big Island group when we went around the island, we were followed by HHSC people, demanding the release of the money, although there were very serious concerns about that funding. I was going to speak to the Kona-Kohala Chamber, and a member of the HHSC Board, in front of two other people, told me that if I did not support HHSC's funding, that he would start a grassroots campaign against Representative Takamine and myself.

"Talk to the Legislative Auditor sometime. She's still trying to do the audit for HHSC for this year, which is due Friday and they won't give her the figures. She'll probably get the figures Thursday which is not appropriate. Talk to her. Go back and read some of her audits about HHSC and the irregularities that have been going on for years. It's high time that we put some control into the local level into the hospitals themselves, and it's about time that we have a new Board controlling HHSC. Thank you."

Representative McKelvey rose to speak in support of the proposed floor amendment, stating:

"In strong support, Mr. Speaker. May I have the comments of the previous speaker entered into the Journal as if they were my own? And I'd just like to say from our perspective, we only have one hospital in Maui and that's it. You know, as one of those people who are trying to facilitate a hospital or a facility in West Maui where there's only one road to the third largest generator of TAT revenue in the State, it is crucial we have some sort of local autonomy.

"I hear all this, 'Well we're in strong support of local control, but … We don't … You know …' It's lip service. Do you not trust us? Do you not trust us to run our own hospital? Do you not trust us to be able to handle our decisions locally to do what's in the best interest of our people? We'll never get a second hospital. We'll never get a West Maui facility unless there's some sort of local autonomy that allows our people to do that.

"And from my perspective, this isn't a condemnation of the State system. It's an improvement. That's all it is. It's an improvement. Representation is fair and equal. I want to thank the introducer of the floor amendment for really 'beefing up' this regional Board system so there is equal representation. And all we're asking for is your support, especially from those in Honolulu who have many facilities to go to, to basically let us survive. To let us improve our healthcare system. So our people don't have to be turned away at the waiting room, Mr. Speaker. If the good Representative from Kihei was here, he could tell you the story of a lady who was turned away with her husband from the emergency room, and how her husband died.

"This is a crisis now in Maui and all we're asking for is the ability to be able to basically take control of our decisions and to improve our local system until we can meet these healthcare needs in these areas. So anyway, I hope we can support this because it's not about a

battle. It's not about vindication. It's simply about local control, decision-making and the Neighbor Islands. And we desperately need this. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I ask for a ruling on a potential conflict of interest. At my law firm, I represent HHSC on procurement matters," and the Chair ruled, "no conflict."

Representative Thielen rose to speak in support of the proposed floor amendment with reservations, stating:

"Thank you. Mr. Speaker, I'm rising with reservations and plan to do a lot more studying of this issue before Thursday. I just wanted to comment. Doesn't the same thing, the local control, apply to our schools? Thank you."

Representative Sagum rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to disclose a potential conflict. I am on the HHSC Management Advisory Committee for Kauai. Thank you," and the Chair ruled, "no conflict."

Representative Green rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, just a ruling on a potential conflict. I'm an ER doctor on the Big Island," and the Chair ruled, "no conflict."

Representative Morita rose to speak in support of the proposed floor amendment with reservations, stating:

"Thank you, Mr. Speaker. I rise with some reservations on this measure. While I recognize and support adding another Board member for the Kauai region, giving the smaller regions an equal footing in the Corporate Board, I appreciate that. But I do have some concerns which relate to the underlying bill about the Board's structure and I think the 'proof is in the pudding'. That we need to ensure that we have good Board members that understand the role of the Corporate umbrella, and that the whole situation doesn't devolve into the regions competing and fighting against each other for limited funding. So I do have grave concerns about that, but again it all depends on who are the members selected on this Board."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Second time in opposition. I just had to add a little bit more to my argument. Thank you, Mr. Speaker. HHSC, you know, there's always two sides of every story and sometimes when you're at the Capitol, there's all kinds of allegations which are sometimes it's hard to confirm. I think we have the responsibility of taking it slowly and making sure that we understand that different allegations can be proven.

"HHSC has had a financial audit and has already had one for this year by an outside firm, Deloitte and Touche. This is the ninth consecutive clean audit. And when we talk about these kinds of things, and with no material weaknesses, so what I want to say about that is just basically, we have this other outside audit that has been done. I'm not saying that you go and you just believe everything that they say, but you cannot discredit that. And you have to take all of this information and say if you're going to make such a huge decision, that you take into account all of these different types of information and you move forward with that. I think from testimony that we received from other islands, even though they are against, even though they are in support of adding equal representation to the Corporate Board or the Regional Board, I forget which one, but they also said that they believe that this is premature; premature for the system as a whole.

"So in regards to that, I still stand in opposition Mr. Speaker, and I'll be looking forward, should I be here on Thursday, to complete the discussion.

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her on the proposed floor amendment, and the Chair "so ordered."

Representative Tsuji rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like to have a ruling on a potential conflict of interest. I am a former Board member of the Board of HHSC," and the Chair ruled, "no conflict."

Representative Belatti rose to speak in opposition to the proposed floor amendment, stating:

"I rise in opposition and I'd like to adopt the comments of the Representative of Pearl City and make a few comments as well. I'm very concerned that the way that these amendments have been brought to us, the way that the CD 1 was brought to us at the 11th hour does not provide the transparency that we need for this process. This question of the State hospital system is far, far too great with its fiscal implications and the implications it has for individual patients on all islands. And I'm always reminded by the fact that yes, I'm a Representative of my district, but I am also a statewide Representative.

"So as I stated, I would like to adopt the words of the Representative from Pearl City, and I have serious concerns about the underlying bill. And I'm in opposition to this floor amendment."

Representative Ching rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I'm just very concerned because I don't think I have all of the information that I need to make a correct vote on this. I need to talk to more people and I'd like to find out more about what has been said in allegations and such. So at this point because it is an important decision, I do have to register my no vote."

Representative Tokioka rose to respond, stating:

"Thank you, Mr. Speaker. Because of the discussion on the concern with the last minute amendment. The amendment was drafted and presented because of the concerns from many, many people who came to the meetings with the Health and Human Services Committees, and in Finance, that they wanted more representation. When they saw the first draft, they didn't feel comfortable with that. So as far as transparency, the amendment came from those discussions.

"There was a comment that was made about the Board members and the community hospitals being able to talk to the Legislature, and to lobby for their hospitals. From my understanding, they have a gag rule and they're not allowed to talk to us. And I think that's a concern. That's a big concern. You know, we have hospitals on Kauai and my question was, 'Have you come to us with your list?' Well, they can't do that. So this gives them more autonomy at their level, Mr. Speaker.

"Another concern I have is, I'm not sure, because this is my first year here, but I'm not sure if any particular hospital has lobbyists that come that we give money to, to lobby for and against the things that we do here at the Legislature. And that's part of this package and that's part of the concerns from many in this Legislature.

"So thank you Mr. Speaker for the second opportunity, and I ask for everyone's strong support."

Representative Takai rose to respond, stating:

"Thank you, Mr. Speaker. I rise again in opposition. And I just wanted to mention a few things on the debate in Second Crossover. I made mention about breaking up the State system and empowering regionals. And I know that there's tremendous concerns on the Neighbor Islands and the rural communities regarding the lack of adequate representation and the lack of decision-making authority that they feel they don't have right now under the current structure.

"But I also mention that my biggest concern is that we need to go back ten years ago to look at why we created the HHSC. And the reason was, we were bleeding. We were bleeding red. Big red. And I'm just concerned as we move forward what we're going to see ten years from now. And I don't want to have a situation where ten years from now, the Legislature, whoever's still here, regrets this decision because there are some efficiencies in a Statewide system that need to be preserved and protected. I submit to you that I think this proposal and the underlying measure is, once again, going down this slippery slope of empowering these regionals, but at the same time destroying the efficiencies of the State system.

"I know someone brought up the idea of local School Boards and whatnot, and in the discussion on Second Cross, I brought up the discussion that we've had on numerous occasions, regarding the University of Hawaii system. There's a reason for keeping systems like this intact, and I think we need to focus on that and realize that this is so important to us as lawmakers. What is the concern with moving a little bit more slowly on this, taking a look at it and not relying on eleventh hour decisions or floor amendments today to fix a bill that many people had major concerns on? Why don't we take a step back and review this, and work on it through the interim and come back with a much better proposal. I'm just really concerned about what we're trying to do and what this will mean to the State of Hawaii in the next few years."

Representative Ward rose to respond, stating:

"Mr. Speaker, a few more comments in the opposition. In consideration of the slippery slope of autonomy, it's also has occurred that we are as elected Representatives. We are not lobbyists. But I can see the 'food fight' if these become regional corporations. I want for my island, my money for my hospital. and competing with the rest. I fear that that could be a very negative development for what otherwise is a systemwide, islandwide system by which we all are pushing for. Of course, if we just want to empower the Neighbor Islands, that's another issue.

"But I think this is putting too much on Neighbor Island Representatives and having each of their hospitals come in to do the Finance Committee testifying, going in to the Health Committee and testifying, that is going to be a considerable amount of confusion, one competing against the other, etc. And someday those are going to be represented by the Minority Party, and some of these we know by CIPs and other things are not very well funded. And do we want to have a hospital system so politicized? Polarized according to your party affiliation depends on how much money you get to fix your wing that's deteriorating, or that it is eaten by termites. I don't think we want that, Mr. Speaker. That's just another caution about empowering people and turning elected Representatives into lobbyists."

Representative Caldwell rose to call for the question, stating:

"Mr. Speaker, I call for a question. We've had a lot of debate on this. We're just talking about the amendment now. We're going to have the vote on the main bill on Thursday. So I call for the question."

Representative B. Oshiro seconded the motion, and the motion to call for the previous question was carried.

The motion that Floor Amendment No. 22, amending S.B. No. 1792, S.D. 3, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION" was put to vote by the Chair and carried, with Representatives Belatti, Ching, Finnegan, Marumoto, Meyer, Takai and Ward voting no.

At 1:39 o'clock p.m., the Chair noted that Floor Amendment No. 22 was adopted, and that S.B. No. 1792, S.D. 3, H.D. 3, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

LATE INTRODUCTION

The following introduction was made to the members of the House:

Representative Thielen introduced 'Flat Stanley' who was sent by her grandson, a fifth grade student in New Jersey.

At 1:41 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:42 o'clock p.m.

ORDINARY CALENDAR

CONFERENCE COMMITTEE REPORTS

Conf. Com. Rep. No. 22 and: S.B. No. 1803, SD1, HD1, CD1:

At this time, Representative Herkes offered Floor Amendment No. 14, amending S.B. No. 1803, SD1, HD1, CD1, as follows:

SECTION 1. Senate Bill No. 1803, SD1, HD1, CD1, is amended by amending section 1 to read as follows:

"SECTION 1. Section 431:2-201.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) All group health issuers shall offer all small group health plans to all small employers whose employees live, work, or reside in the group health issuer's service areas; provided that the commissioner may exempt a group health issuer if the commissioner determines that the group health issuer does not have the capacity to deliver services adequately to enrollees of additional groups given its obligation to existing employer groups[~~.~~]; and provided further that the commissioner shall exempt from this subsection group health plans offered to small employers that employ only one employee, if the group health issuer offers the small employer groups at least one small group health plan that meets the requirements of chapter 393, and upon the determination by the commissioner that the group health issuer has the capacity to adequately deliver services to enrollees of the additional groups, subject to its obligations to existing employer groups.""

Representative Herkes moved that Floor Amendment No. 14 be adopted, seconded by Representative B. Oshiro.

Representative Herkes rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, these changes are operative language changes. It's a friendly technical amendment made by the House and Senate leadership. Thank you."

Representative Finnegan rose to speak in opposition to the proposed floor amendment, stating:

"Thank you, Mr. Speaker. In opposition. It might seem odd to vote against a friendly technical amendment Mr. Speaker, but I don't

believe and I don't think ever do we actually consider changing, 'may' to 'shall' as a technical amendment throughout the Session. A lot of people actually throughout the Session get really, really upset about the difference between 'may' and 'shall'. Say if we did that with our prisoners reentering into the community and we told the Public Safety Department that they 'may' do some of these things. There's a big difference between 'may' and 'shall'. And that's why I'm standing up in opposition for this particular amendment.

"This amendment basically changes 'may' to 'shall', and previously when we had offered an amendment on this particular bill, in the past, we basically said there's an insurance company and they're doing some good for small companies or sole proprietors. They're offering some benefits and they call it, 'bundling', putting in different kinds of insurance into one bundle or package that the sole proprietor or small company can purchase. When you do that, there are times when you're actually going against our laws that we have in existence today.

"What this does is it says that the Commissioner shall exempt from this subsection. And it basically says he doesn't have to determine on whether or not you should or shouldn't be exempt from the law. It says that he has to exempt an insurance company, and that's where I would say I am against this floor amendment. I liked it better the way it was, to have the Commissioner take in the information and basically say yes, no, or I think there's legitimate reason, instead of just doing a blanket. And then again, if it does pass this way, it does end up being a solution for maybe just one company, which I've been pretty consistent in saying that we not do something for just one person, not for one company, and trying to stick to making laws that are more beneficial to the whole. So Mr. Speaker, I rise in opposition to this measure."

Representative Herkes rose to respond, stating:

"In support. The amendments have the Insurance Commissioner's support. This bill applies to all health insurers. We took out the requirement of 30% of the business, so it applies to everybody who's in this business. Thank you."

Representative Green rose in support of the proposed floor amendment and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Green's written remarks are as follows:

"Approximately 10% of Hawaii's population are medically uninsured. A significant portion of the uninsured are workers not covered by Hawaii's pre-paid Health Care Act, particularly self-employed workers. It is estimated that about 11,950 self-employed workers are uninsured.

"The Hawaii Uninsured Project also reports that approximately 13,300 part-time workers and 46,500 self-employed workers currently have health insurance. Many of these workers are subscribers of individual plans provided by Hawaii's insurers. Because individual plans and group health plans with one or few number of employees are not part of larger employee pools, health insurance premiums for individual plans are generally more expensive than large group health plans. Larger employee group health plans are able to more effectively spread the health risk amongst their employees to better manage the cost and administration of coverage. The cost of health insurance, particularly for self-employed workers, single employee corporations or partnerships, and small business group health plans with few number of employees are of significant concern to Hawaii's business and general community.

"One of the reasons for higher premiums of individual plans results from impediments to insurers more cost-effectively combining various health-related benefits under the same policy. Although at least one small insurer has combined benefits under a single policy for seventeen years, the Hawaii Insurance Commissioner has recently chosen to interpret Hawaii law as prohibiting combining different types of health and sickness insurance benefits within the same policy. The Insurance Commissioner's position will necessarily increase costs that will be passed onto consumers through increased premiums.

"It is the goal and intent of SB 1803 to expand access to health insurance by allowing broader coverage for less cost. SB 1803 targets coverage to self-employed workers and businesses with one or few employees. It is the Legislature's intent to encourage the existing practice by smaller accident and sickness insurers to "bundle" different classes of insurance, such as health, dental, and vision together, thereby continuing the historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances, bundling provides broader healthcare coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. The word I got was the Commissioner did not like 'shall', and on that basis I'm voting no."

Representative Ching rose and asked that the Clerk record a no vote for her on the proposed floor amendment, and the Chair "so ordered."

The motion that Floor Amendment No. 14, amending S.B. No. 1803, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE" as put to vote by the Chair and carried, with Representatives Ching, Finnegan and Meyer voting no.

At 1:46 o'clock p.m., the Chair noted that Floor Amendment No. 14 was adopted, and that S.B. No. 1803, SD1, HD1, CD2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 43 and S.B. No. 1066, SD 2, HD 2, CD 1:

At this time, Representative Finnegan offered Floor Amendment No. 17, amending S.B. No. 1066, SD 2, HD 2, CD 1, as follows:

SECTION 1. Senate Bill No. 1066, Senate Draft 2, House Draft 2, Conference Draft 1 is amended by amending Section 1 to read as follows:

"**§150A-A Inspection, quarantine, and eradication service fee and charge.** (a) There is imposed a fee for the inspection, quarantine, and eradication of invasive species contained in any marine commercial container shipment, foreign or domestic, that is brought into the State. The fee shall be computed on the basis of $1 for each twenty-foot equivalent unit per container. The department shall collect the fee at the port of disembarkation and deposit the fee into the pest inspection, quarantine, and eradication fund under section 150A-B.

§150A-B Pest inspection, quarantine, and eradication fund. (a) There is established in the state treasury the pest inspection, quarantine, and eradication fund, into which shall be deposited:

(1) Legislative appropriations for inspection, quarantine, and eradication services;

(2) Service fees, charges, and penalties collected under section 150A-A;

(3) Federal funds received for pest inspection, quarantine, and eradication programs;

(4) Grants and gifts;

(5) All interest earned or accrued on moneys deposited in the fund; and

(6) Any other moneys made available to the fund.

(b) The moneys in the pest inspection, quarantine, and eradication fund shall be expended by the department for the operation of pest inspection, quarantine, eradication, and monitoring programs, related facilities, and the execution of emergency remedial measures when pests are detected in the course of inspection and quarantine activities by the department."

Representative Finnegan moved that Floor Amendment No. 17 be adopted, seconded by Representative Meyer.

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. Some may say that introducing this floor amendment is quite silly being that it won't be adopted in the Senate, and therefore you must vote for the underlying bill so that it can pass through and be sent up to the Governor. I would like to argue that we have a responsibility in the House to make sure that we pass out a bill that is a good bill, or at least that is a bill that has some action to it.

"This bill currently is defective. The reason why it's defective, I'm sure all of you have already been told, is that we impose a fee for inspection, and then we ask the Department to collect the fee, and then it said it needs to be deposited into the Pest Inspection Quarantine and Eradication Fund. Pest Inspection. And then it goes and says that there's going to be established a Pest Control. I'm not sure if I got that backwards. I'm sorry, I'm reading the amendment.

"But basically what it is, is we're putting in the money into a special fund and say it's called special fund A, and then we establish special fund B. So basically, if we're collecting the money, we're supposed to put it in special fund A, that doesn't exist, and then we establish special fund B. I say that at least we can say that we're offering an amendment that corrects that problem and if it kills the bill because it's not the same language as the Senate, we can say that we didn't pass out a defective bill.

"What we're doing now is we're saying yes, we agree. It's a defective bill, but we're going to let it pass so that the Governor can veto it for whatever, because we can't do anything with the bill anyway. So the reason why I offer this amendment is probably to make a statement that we should do our job and stop a defective bill from moving forward when we see it. So Mr. Speaker, I offer this amendment and I hope to get the support on our Floor."

Representative Caldwell rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, brief comments in opposition. We hear the Minority Leader loud and clear. We are concerned, Mr. Speaker, that this would kill the bill, and our goal is to get a good bill up to the Governor, as good as possible and hope that she will not veto it and allow it to go into law. They can start to implement this program, which is a very noble program. I think everyone on this Floor would support it in terms of protecting our islands, our environment from invasive species by assessing a fee of one dollar, or two dollars, depending on the size of the container.

"I think the language is clear enough for the Executive to understand what we're trying to accomplish here, and that in the long run, it's better to get a bill up than to come back next year. Thank you very much, and I encourage everyone to vote this amendment down."

The motion that Floor Amendment No. 17, amending S.B. No. 1066, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES" as put to vote by the Chair and failed to carry, with Representative Green being excused.

Conf. Com. Rep. No. 67 and: H.B. No. 964, H.D. 1, S.D. 2, C.D. 1:

At this time, Representative Sonson offered Floor Amendment No. 13, amending H.B. No. 964, H.D. 1, S.D. 2, C.D. 1, as follows:

SECTION 1. House Bill No. 964, House Draft 1, Senate Draft 2, Conference Draft 1, is amended as follows:

1. By amending the definition of "substance abuse on-site screening test" in section 1 to read:

""""Substance abuse on-site screening test" means a portable substance abuse test that meets the requirements of the United States Food and Drug Administration for commercial distribution [~~and is approved by the director for such pre-employment screening.~~] or is manufactured by a facility that is minimally certified as meeting the ISO 13485 standard established by the international organization for standardization and which may be used by an employer in the workplace."

2. By renumbering the second section 3 as 4, and section 4 as 5.

Representative Sonson moved that Floor Amendment No. 13 be adopted, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in support of the proposed floor amendment, stating:

"Thank you very much, Mr. Speaker. This is another technical amendment. What happened is that the bill that was decked, the CD 1 that was decked, did not represent the agreement of the Conferees. Some language was omitted.

"If you take a look at the floor amendment, starting on the fourth line, it starts, 'substance abuse test that …' in the definition of 'substance abuse,' it omitted this particular portion stating, '… meets the requirement of the United States Food and Drug Administration for commercial distribution'. So we're reinserting that language into this CD 2, which corrects the problem that occurred. Thank you very much, Mr. Speaker."

Representative Bertram rose to speak in opposition to the proposed floor amendment, stating:

"I rise in strong opposition. I understand the idea of the amendment and I appreciate what they're trying to do, but the underlying bill is onerous. It's also defective in the sense of still trying to weed out certain people because of certain drugs that they may or may not have taken. So the whole idea is that we need to get away from this whole thing, rather than find how we actually chase down the culprits. We're changing it from a 'rope around the neck' to maybe a 'nylon around the neck,' but it's still the same. Thank you."

The motion that Floor Amendment No. 13, amending H.B. No. 964, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE" was put to vote by the Chair and carried, with Representative Bertram voting no.

At 1:54 o'clock p.m., the Chair noted that Floor Amendment No. 13 was adopted, and that H.B. No. 964, H.D. 1, S.D. 2, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

At 1:54 o'clock p.m., Representative Herkes requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:55 o'clock p.m.

Conf. Com. Rep. No. 96 and: H.B. No. 928, H.D. 1, S.D. 2, C.D. 1

At this time, Representative Shimabukuro offered Floor Amendment No. 15, amending H.B. No. 928, H.D. 1, S.D. 2, C.D. 1, as follows:

SECTION 1. House Bill No. 928, H.D. 1, S.D. 2, C.D. 1, is amended by amending section 4 to read as follows:

"SECTION 4. Section 346-53, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

(c) The director, pursuant to chapter 91, shall determine the rate of payment for domiciliary care, including care provided in licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes, to be provided to recipients who are eligible [~~either~~] for Federal Supplementary Security Income[~~,~~] or public assistance [~~in accordance with state standards~~], or both. The director shall provide for level of care payment as follows:

(1) For [~~those~~] adult residential care homes classified as facility type I, licensed developmental disabilities domiciliary homes as defined under section 321-15.9, community care foster family homes as defined under section 346-331, and certified adult foster homes as defined under section 321-11.2, the state supplemental payment shall not exceed [~~$621.90; and~~] $641.90;

(2) For [~~those~~] adult residential care homes classified as facility type II, the state supplemental payment shall not exceed [~~$729.90.~~] $749.90; and

(3) For skilled nursing facilities and intermediate facilities, the state supplemental payment shall not exceed $20.

If the operator does not provide the quality of care consistent with the needs of the individual to the satisfaction of the department, the department may remove the recipient to another facility.

The department shall handle abusive practices under this section in accordance with chapter 91.

Nothing in this subsection shall allow the director to remove a recipient from an adult residential care home or other similar institution if the recipient does not desire to be removed and the operator is agreeable to the recipient remaining, except where the recipient requires a higher level of care than provided or where the recipient no longer requires any domiciliary care."

Representative Shimabukuro moved that Floor Amendment No. 15 be adopted, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. This is a friendly technical amendment made by the House and Senate leadership. According to DHS, this is necessary for the personal needs allowance because not every recipient qualifies to receive the full $50 depending on their income sources. The State payment portion could be less than $50. So it's a technical amendment that is needed."

The motion that Floor Amendment No. 15, amending H.B. No. 928, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES" was put to vote by the Chair and carried.

At 1:55 o'clock p.m., the Chair noted that Floor Amendment No. 15 was adopted, and that H.B. No. 928, H.D. 1, S.D. 2, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 100 and: H.B. No. 1004, H.D.2, S.D.1, C.D.1

At this time, Representative Caldwell offered Floor Amendment No. 23, amending H.B. No. 1004, H.D.2, S.D.1, C.D.1, as follows:

SECTION 1. House Bill No. 1004, H.D.2, S.D.1, C.D.1 (RELATING TO CONSUMER ADVOCACY), is amended by amending section 6 to read as follows:

"SECTION 6. There is appropriated out of the public utilities commission special fund the sum of $30,000 for fiscal year 2007-2008 and the sum of $30,000 for fiscal year 2008-2009 to be deposited into the compliance resolution fund."

SECTION 2. House Bill No. 1004, H.D.2, S.D.1, C.D.1 (RELATING TO CONSUMER ADVOCACY), is amended by amending section 9 to read as follows:

"SECTION 9. There is appropriated out of the general revenues of the State of Hawaii the sum of $100,000 or so much thereof as may be necessary for fiscal year 2007-2008 for research and support services necessary to protect Hawaii consumers by developing additional deterrents for identity theft, and in particular those related to the compromise of electronic data and information, and social security numbers in public records.

The sum appropriated shall be expended by the office of the auditor for the purposes of this part."

Representative Caldwell moved that Floor Amendment No. 23 be adopted, seconded by Representative B. Oshiro.

Representative Caldwell rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, very briefly this is another friendly technical amendment agreed to between House and Senate leadership. What it does is it appropriates $100,000 in general fund money, and not Compliance Resolution Fund money. That's it."

The motion that Floor Amendment No. 23, amending H.B. No. 1004, H.D.2, S.D.1, C.D.1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY" was put to vote by the Chair and carried, with Representative Say being excused.

At 1:57 o'clock p.m., the Chair noted that Floor Amendment No. 23 was adopted, and that H.B. No. 1004, H.D.2, S.D.1, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

Conf. Com. Rep. No. 114 and S.B. No. 148, S.D. 2, H.D. 1, C.D. 1:

At this time, Representative Caldwell offered Floor Amendment No. 24, amending S.B. No. 148, S.D. 2, H.D. 1, C.D.1, as follows:

SECTION 1. Senate Bill No. 148,S.D.2,H.D.1,C.D.1 (RELATING TO INCOME TAX CREDIT), is amended by amending section 1 as follows:

"SECTION 1. The legislature finds that Article VII, section 6, of the Constitution of the State of Hawaii requires the legislature to provide a tax refund or tax credit when certain factors are met. The legislature finds that these factors have been met for the second year in a row and that the legislature is constitutionally required to provide a tax credit or tax refund to taxpayers.

The purpose of this Act is to provide for a one-time income tax credit to satisfy constitutionally mandated requirements."

SECTION 2. Senate Bill No. 148,S.D.2,H.D.1,C.D.1 (RELATING TO INCOME TAX CREDIT), is amended by consolidating sections 2, 3, and 4 into section 2 with amendments to read as follows:

"SECTION 2. (a) There shall be allowed for each resident individual taxpayer for the taxable year 2007, a refundable one-time general income tax credit that shall be deducted from income tax liability computed under chapter 235, Hawaii Revised Statutes; provided that no refunds or payments on account of the tax credits allowed by this section shall be made for amounts less than $1.

(b) There shall be allowed to a husband and wife who file a joint return a one-time general income tax credit in accordance with the following table:

If the adjusted gross income is:	The credit shall be:
Under $5,000	$160
$5,000 and over but under $10,000	150
$10,000 and over but under $15,000	140
$15,000 and over but under $20,000	130
$20,000 and over but under $30,000	120
$30,000 and over but under $40,000	110
$40,000 and over but under $50,000	100
$50,000 and over but under $60,000	90
$60,000 and over	0.

(c) There shall be allowed to every taxpayer filing a head of household tax return a one-time general income tax credit in accordance with the following table:

If the adjusted gross income is:	The credit shall be:
Under $5,000	$140
$5,000 and over but under $10,000	130
$10,000 and over but under $15,000	120
$15,000 and over but under $20,000	110
$20,000 and over but under $30,000	100
$30,000 and over but under $40,000	90
$40,000 and over but under $50,000	80
$50,000 and over but under $60,000	70
$60,000 and over	0.

(d) There shall be allowed to every (1) unmarried individual (other than a surviving spouse, or the head of household) and (2) married individual filing a separate tax return a one-time general income tax credit in accordance with the following table:

If the adjusted gross income is:	The credit shall be:
Under $5,000	$65
$5,000 and over but under $10,000	55
$10,000 and over but under $15,000	45
$15,000 and over but under $20,000	35
$20,000 and over but under $30,000	25
$30,000 and over	0.

SECTION 3. Senate Bill No. 148,S.D.2,H.D.1,C.D.1 (RELATING TO INCOME TAX CREDIT), is amended by renumbering section 5 as section 3 and amending it as follows:

"SECTION 3. (a) Each taxpayer that claims the one-time general income tax credit shall have been a resident of the state, as defined in section 235-1, Hawaii Revised Statutes, for at least nine months regardless of whether the resident was physically in the state for nine months.

(b) The one-time general income tax credit shall not be available to:

(1) Any person who has been convicted of a felony and who has been committed to prison and has been physically confined for the full taxable year;

(2) Any person who would otherwise be eligible to be claimed as a dependent but who has been committed to a youth correctional facility and has resided at the facility for the full taxable year; or

(3) Any misdemeanant who has been committed to jail and has been physically confined for the full taxable year.

(c) The tax credit claimed by a resident taxpayer pursuant to this Act shall be deductible from the taxpayer's individual income tax liability for the taxable year 2007. If the tax credit claimed by a resident taxpayer exceeds the amount of income tax payment due from the resident taxpayer, the excess of credits over payments due shall be refunded to the resident taxpayer; provided that a tax credit properly claimed by a resident individual who has no income tax liability shall be paid to the resident individual.

(d) All claims for tax credits under this Act, including any amended claims, shall be filed on or before the end of the twelfth month following the close of the taxable year for which the credits may be claimed. Failure to comply with this filing requirement shall constitute a waiver of the right to claim the credit.

(e) A husband and wife who do not file a joint tax return, shall only be entitled to claim the one-time general income tax credit to the extent that they would have been entitled to the one-time general income tax credit had they filed a joint tax return.

(f) The tax refund paid to a resident taxpayer pursuant to this Act shall not be included in the resident taxpayer's gross income.

(g) For the purpose this Act, "adjusted gross income" means adjusted gross income as defined by the Internal Revenue Code."

SECTION 4. Senate Bill No. 148,S.D.2,H.D.1,C.D.1 (RELATING TO INCOME TAX CREDIT), is amended by adding a new section 4 to read:

"SECTION 4. This Act implements the provisions of article VII, section 6, of the Constitution of the State of Hawaii, enacted by the 1978 constitutional convention, which reads as follows:

"DISPOSITION OF EXCESS REVENUES

Section 6. Whenever the state general fund balance at the close of each of two successive fiscal years exceeds five percent of general fund revenues for each of the two fiscal years, the legislature in the next regular session shall provide for a tax refund or tax credit to the taxpayers of the State, as provided by law.""

SECTION 5. Senate Bill No. 148,S.D.2,H.D.1,C.D.1 (RELATING TO INCOME TAX CREDIT), is amended by renumbering section 6 as section 5.

Representative Caldwell moved that Floor Amendment No. 24 be adopted, seconded by Representative B. Oshiro.

Representative Chong rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I stand in strong support. This is a technical amendment suggested by the Department of Taxation to clarify the language in the bill. A lot of it is some technical language by Tax, from Adjustable Gross Income, to Adjusted Gross Income. Also, it is clarifying and strengthening the residency requirement and other items."

The motion that Floor Amendment No. 24, amending S.B. No. 148, S.D. 2, H.D. 1, C.D. 1: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT" was put to vote by the Chair and carried, with Representative Say being excused.

At 1:59 o'clock p.m., the Chair noted that Floor Amendment No. 24 was adopted, and that S.B. No. 148, S.D. 2, H.D. 1, C.D. 2, would be placed on the calendar for action on Thursday, May 3, 2007.

At 1:59 o'clock p.m., Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:07 o'clock p.m. with Speaker Say presiding.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Finnegan and carried, the rules were suspended for the purpose of considering bills on Final Reading and Third Reading on the basis of a modified consent calendar. (Representatives Nakasone and Tokioka were excused.)

ORDINARY CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 93 and H.B. No. 500, HD 1, SD 1, CD 1:

Representative M. Oshiro moved that the report of the Committee be adopted and that H.B. No. 500, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative Lee

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, thank you very much. I rise in support. I'd first like to thank the leadership and all the Committee Chairs for providing the framework for the budget. The many hours spent putting together proposals to help all our communities is appreciated and much welcomed.

"Mr. Speaker, I'd also like to thank the efforts of the members of the Finance Committee, both Majority and Minority members. Mr. Speaker, we started the journey in January right after the New Year. Members spent three weeks leading up to Opening Day in lengthy budget briefings, asking tough questions that helped to prioritize where taxpayers' dollars would be spent.

"Mr. Speaker, I thank the Finance committee staff for all their hard work and time dedicated to analyzing the details of the budget and all the other bills that affect the budget. If I might, Mr. Speaker, acknowledge their work and them, individually. They are: Nandana Kalupahana, Committee Clerk; Michael Ng, Budget Chief; Eric Nouchi, Budget Supervisor; Brian Hallett, CIP Specialist; Budget Analysts, Leslie Goo, Robin Kindred, Jacob Nakasone, Alana Taniguchi and Blake Yoshiura.

"We also have Randall Hiyoto as our Research Chief; Stacey Tagala as our Research Supervisor; and Researchers, Jordann Ares and Danny Vasconcellos.

"Last but not least, the Front Office staff led by Jo Hamasaki, Finance Committee Specialist; Tracy Kubota, Administrative Services Manager; Legislative Aides, Tiffany Bumanglag, Anna Donald and Sallie Hamada. And Mr. Speaker, our '1L' legislative aides from the Richardson School of Law, Tracey Kubota and Dawn Nakagawa. Mr. Speaker, if we could we give them a round of applause please.

"Mr. Speaker, I'd like to acknowledge and thank the tremendous contribution of Vice Chair Lee. Not only did she make sure that the Committee was well fed and hydrated, but she also helped manage and run all the Committee hearings and provided valuable insight into the legislation we passed, both in bills and in budget.

"And finally Mr. Speaker, I'd like to thank Chair Baker and Vice Chair Tsutsui of the Senate Ways and Means Committee and their members and staff for their hard work in helping to craft this final version of the biennium budget for all of us.

"And now Mr. Speaker, I present to you the top ten reasons to vote for the budget.

"Number ten: it provides $190 million more to the Department of Education for items such as student transportation, food services and utility costs.

"Number nine: it provides 90 million more dollars for the University of Hawaii including items such as the Nursing Program at UH Manoa and the College of Pharmacy at UH Hilo.

"Number eight: $195 million more for health and human services programs including Medicaid, QUEST, adult mental health and early intervention services.

"Number seven: it provides $68 million more for homeless services, and kitchen unit replacements in public housing. Vacant unit turnaround for public housing, and deposits into the Rental Housing Trust Fund.

"Number six: it provides $10.6 million to help critical community hospitals in Hana, Waianae, Molokai, Wahiawa and Kahuku."

Representative Karamatsu rose to yield his time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Vice Speaker. And the number five reason to support the budget Mr. Speaker: it provides $17.8 million more for expansion of EMS services and purchase of emergency equipment such as ambulances and defibrillators.

"Number four: this budget provides over $7.6 million in our war against invasive species that includes the purchase of the Invicta Manifest System to target high risk shipments for inspection, money to eradicate the coqui frog, funding to fight the bee mite infestation and more DOCARE Officers to enforce our environmental laws.

"Number three: $8.4 million more to our Charter Schools.

"The Number two reason to support this budget: $50 million in cash for the repair and maintenance of our public schools.

"And Mr. Speaker, the number one reason why my colleagues should vote for this budget: this budget, Mr. Speaker, is $17.4 million less than the budget submitted by the Governor to this Legislature. Thank you very much."

"Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I also rise in strong support. I rise to speak in support of House Bill 500, in particular, the portion that deals with human services and housing. Together these two major areas account for a healthy percentage of the total funds we're appropriating through this biennium budget bill.

"Another way of looking at what we are doing in these categories, although on a diminished scale, is look at the distribution of this year's surplus. Of this amount, $75 million or 11% is in our housing and homeless package. Overall, when combined with funding for

health programs, human services account for $195 million or 28% of the surplus dollars.

"I'm especially pleased today to report to my colleagues that much has been accomplished in our ongoing effort to meet the challenges of the housing crisis throughout our islands. The appropriation will enable both our State Housing Finance and Development Corporation, and Public Housing Authority to plan, develop and fund more affordable housing units in the private sector, make badly needed improvements in our public housing projects, and provide temporary shelter and support services for those of our people who unfortunately do not having housing of any kind.

"Specifically, this budget provides $8.7 million for homeless services. For FY 2007 and 2008, $15 million will be deposited into the Rental Housing Trust Fund, making low interest grants or loans available to developers of affordable rental housing units. Over the biennium, more than $10 million will go to public housing for repairs and energy efficiency and to expedite the rental of vacant units.

"In addition Mr. Speaker, I may add that SB 1917 which we have also passed out of Conference, adds an additional $6 million for homeless services and keeps the Rental Housing Trust Fund share of the conveyance tax at 50% for another year. And those revenues are estimated at $14 million a year by the way, from the RHTF, the Conveyance Tax.

"I'm also happy to report that the bill before us strongly supports the efforts of the Department of Human Services to provide critical services to those least able to provide for themselves. There's approximately $100 million for QUEST and Medicaid services. For Temporary Assistance for Needy Families, we've added $4.5 million for the first budget year for Purchase of Service contracts that will strengthen families, teach life skills and improve the employability of low-income families.

"Of those in need, our children are the most vulnerable. Our budget includes a half million dollars more than the Administration's budget request to fund CPS or Child Protective Services. We have also made sure that youth in foster homes, Safe House programs and correctional facilities are given the help they need during their critical formative years.

"Mr. Speaker and colleagues, I believe there's a lot more to be done, now and in the future to meet the housing and daily living needs of our most needy citizens. This budget points us in the right direction and provides a solid foundation for the work that lies ahead. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise also to commend the staff and thank them, but I am with reservations. The staff did a tremendous job and the Chair of Finance also. Someday the system will trust even the members to make some of the decisions that staff does, but that's another issue on a different day.

"My reservations, Mr. Speaker, have to do with when we give our word in the profession we're in, we should keep it. Our word is our bond and when we break it, people tend to think or may distrust us. And what I'm referring to is when we started this Session, we said we were going to fix everything in terms of affordable housing, homelessness, all of those things, public housing. And what seems to have taken place is that we have fallen short to the extent that I want to give a few examples.

"I'm assuming I'm reading off of the same budget because regarding the amount of money that the Governor asked for the Rental Housing Trust Fund was $50 million. This budget gives $15 million. That's a $35 million cut. I'm not sure that's something we should be proud of. The Governor also asked for $15 million in the Dwelling Unit Revolving Fund and got zero. That's another big hit. What with a few other infrastructure requests that were refused, it totals out to be for that group, $148 million which the Governor requested, with $29 million being delivered.

"Now let me move on to public housing and homelessness. The Governor requested $15 million to fix the elevators. Are elevators are an important issue? Well it's something that the Department of Justice and HUD has been directing us to do short of some legal action, and Governor had asked for $15 million and got $5 million. A $10 million cut. Sometimes I guess we have to use the Marie Antoinette, 'If they can't have bread, let them eat cake.' If they can't do the elevator, let the poor walk. And I think if we don't repair those elevators, that's exactly what we're going to be doing with the poor. Making them walk up those three and four story areas.

"I think in terms of repair and renovation, we can see another example. $40 million was requested to get the housing units that are sitting there vacant, and people are saying, 'You've got a housing crisis. These things are empty. You've got to fix them.' Which we said we're willing to. The Governor asked for $40 million to fix it, and instead of the $40 million, she got $20. Fortunately for the homeless services, as the Chair previously spoke of, almost all of that was given as the Governor requested, short only of $4 million, and that's very good news.

"The security budget of $2.8 million and $2.4 million was also totally given, which is good news. But taken as a whole, Mr. Speaker, the Governor asked this body to resolve that crisis. This body, in various press releases and congresses said that they will resolve it. But much like her tax rebates amounts of $300 million, getting $100 million, basically everything's been cut by two-thirds. That means we're going to have to revisit it. That means we have to be very clear about what we intend to do in 2008, because once we tell the public that we're going to do this and we don't do it, then our credibility, then our sense of drawing people to the voting booths, then drawing people to have confidence in this Legislature, is lessened.

"Having said that Mr. Speaker, it's a good budget in many other areas which I don't have time to speak about, but these are the few things that I have reservations with."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. In support with just a couple reservations. And I do want to commend the Finance Chair and the staff. I know this isn't an easy task, working on the budget and especially with this many Representatives in the room wanting their own share. It's not easy to appease us all. But I just want to comment on a potential conflict. That I do work for a homeless shelter and there's a lot of homeless appropriations in this budget," and the Chair ruled, "no conflict."

Representative Pine continued, stating:

"Well, I do want to kind of expand on that. I really had actually the blessing of working in the homeless community and I've learned so much and have discovered that so many of the people that work in the homeless shelters and in the homeless community are clearly people that can be making a lot more money than they're making now. And I think my concern is what I've been hearing in the homeless provider population is their frustration with the Legislature, making them come back year after year to beg for the same monies that they need because the homeless population is growing. And in fact they need even more money.

"I think when we do not take this more seriously as a problem that we must fund for many years until the problem goes away, it's going to be very frustrating for the homeless community. What I mean by that is, here's an example of what I've observed happening in the whole homeless provider community. Basically, IHS will get funded for a year for particular services. And every single person that is

funded under that particular item knows that they don't have a job in a year. And sometimes the funds get shifted and then another homeless provider gets the contract and then that person moves over to that other place. And this is going on from homeless provider, to homeless provider. And let me just explain what it's like being a possible family getting help.

"For example, a particular family got off the streets in Waianae and the father had several heart attacks and this is what led them to their homelessness. And what had happened is they did get help from one shelter, but that person was funded for only another three months. Then that person that was helping these people to get better, to get the medical care, to get them emotionally prepared to do the things that they need to get out of homelessness, that provider or caseworker left because they really just couldn't take not knowing if they had a job in the future anymore. And so we've created this kind of culture in the homeless provider community that no one has a secure job, so why have these big plans to really help the homeless population for the future when we only know we have enough funding for a year.

"So I'm just kind of pleading with this body. Next year, let's take this subject so seriously and make a commitment for maybe six years so these providers can truly solve this problem and help the people that we are trying to help."

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in favor of the budget. And there's some very good things in it. And people who are receiving the money from it are very grateful. However, I rise to point out one deficiency.

"Apparently, the Department of Transportation requested $21 million in each year of the biennium to supplement their maintenance program. They've had massive problems in Waimea, in the Makapuu area. They have to fix Ala Moana Boulevard, the Pali Highway had issues during the last big rain. And they feel that the base budget of the Highway Fund is insufficient to handle many of the problems that they will have to deal with. And I don't know how they're going to deal with all the problems that they have to face, so I had hoped that the money would be found in the budget. If we have a chance to add it in sometime in the future, I do hope that we will consider their pleas.

"We receive a lot of complaints about potholes and people really don't know the difference between City and State streets, but we've got to deal with both and how can we expect the Department of Transportation to fix potholes and keep up with the traffic demands if we don't fund them. Thank you very much."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I just have very brief comments in support. Just proud from the health perspective to look at this budget and see a large investment in increased reimbursements across the board, especially in the Medicaid realm which was mentioned earlier by the Human Services Chair. That's going to provide reimbursements to all of our facilities.

"We've been talking about the healthcare crisis and from my standpoint, that was the single biggest thing we could do as legislators. Invest in the basic healthcare needs for the whole State without excluding anyone. So I think that was terrific addition to the budget.

"And I would also mention that the investment in the training program, both on Oahu and now the expansion over to Hilo to train primary care physicians is a really shrewd investment because those providers will stay in Hawaii, they'll provide basic healthcare at all of our facilities and it's really going to set us up well for the future.

"So I just would like to commend the Finance Committee and all the Representatives for making this investment."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Thank you. I also extend my kudos, congratulations, to the Chair of the Finance Committee and its members and everyone else who played a role in this budget.

"Mr. Speaker, I do though have a comment to make and it concerns something that we did a few days ago on Second Crossover. And it's tied into this budget and I'll make the connection right now and it has to do with the UH Medical School. In the budget, we still see, which is good, an additional $3.6 million for the first year and a $3.9 million add for the second fiscal year. That's all good. In fact, those two figures were in the budget as it left the House and it was a signal to all that this House supports and continues to support the UH Medical School.

"On Second Cross, we passed SB 1283, SD 2, HD 2 against my concerns. And during that discussion, I pointed out that this particular measure that we were contemplating a few days ago would increase the amount of money going to the School of Medicine for operating costs. In fact, I mentioned that the University did a refinancing of the bonds, and for the first payment in fiscal year '08, it's going to be about $6.6 million.

"We understand, also, that the Tobacco Trust Fund is going to see a tremendous increase in funding starting from next fiscal year. So, my concern then, and it's still my concern now, because by the way, Mr. Speaker, this particular measure that was supposed to be negotiated in Conference and we were supposed to work on this tied in with the budget, it in fact, went straight up to the Governor. So, my concern now is that in addition to the $3.6 million in the first fiscal year that we already said that the University's Medical School will receive, I believe that they're going to see an additional windfall close to maybe five or six million. That's on top of what we're already giving them. That's what that bill says.

"I just wanted to mention something as we move forward, because I think we need to continue to monitor this. During the discussions that day, the Finance Chair mentioned that the purpose of moving the bill forward was to allow us to debate and discuss this measure tied in with the general fund appropriation and the operating budget, and we were going to possibly supplant general funds for the amount realized in the Tobacco Special Fund. Unfortunately, that didn't happen, and now I'm sorry to say both bills are going up the way we had sent it out. We just need to monitor this, Mr. Speaker, because I think left unchecked, it's not good for us. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"In support, Mr. Speaker. I want to thank the Chair of the Finance Committee, as well as the Members. This is the most comprehensive, across the board coverage that I've seen. It touches all aspects of our State. It has appropriations for schools, colleges, workforce development, transportation, and I'm grateful that we now have funding for the Ewa Makai Middle School. More importantly, Mr. Speaker, there's now an appropriation for the Nursing School at Leeward Community College, something that I've been crying about for the last three Sessions and I'm very grateful for that.

"Also, there's more appropriations for transportation. I would like to see more, however I'm very grateful that we did not raid the Highway Fund. And with that, I leave my comments there."

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support of the budget and I'd like to actually insert my written comments into the Journal, but I would like to make a few additional comments.

"One thing that wasn't mentioned when we talked about housing was the strong support that the budget gives to women's domestic violence shelters. This is a critical form of housing that we have supported well in the budget. This is going in the opposite direction to the trends in Washington. Family planning monies have been restored to the budget after an absence of over 10 years and this takes us out of dead last place in the nation in this category, so that's a really important change. Victim's services had been given an increase in funding in this budget showing a recognition of the many needs of crime victims in our communities. So, this is really very special.

"The budget is truly one that recognizes human needs and the Herculean effort to secure its completion should be recognized. The Finance staff literally worked nonstop all Session, sacrificing sleep and recreation, yet maintaining a helpful and cheerful demeanor. Their expertise in financial analysis coupled with their willingness to share information and teach others was amazing.

"Last, the Finance Chair should be commended not only for his 16 hour days, but also for his commitment to produce a fiscally responsible budget providing for the future of Hawaii with an eye to possible fluctuations of the State's future financial condition. His tenacity has been incredible. I urge my colleagues to support this measure. Thank you."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB 500 HD1 SD1 CD1.

"Last year, the Legislature seized an unprecedented opportunity to invest strategically in the State's future. Strong revenue projections allowed for the investment of capital in critical areas of need, particularly in the area of education.

"This year, by again dedicating a significant amount of funding to the public education system, the House of Representatives has crafted a budget that invests in our State's greatest resource – its people.

"Hawaii's public school system served 179,000 students across the state in the 2006-2007 school year. Again, this year, the House has provided DOE with generous funds to provide quality education to our students.

"The majority of this increase goes toward fixed costs such as debt service and fringe benefits for employees, but the House also funded several key initiatives that support efforts to improve student achievement which were not included in the Governor's proposed budget.

"While they aren't all glamorous, basic needs are fundamental to a solid education system. The House fulfilled the critical need to pay for such costs.

"UH is an important component of our public education system, and instrumental in charting the course of Hawaii's future. To affirm its commitment to Higher Education, the House has funded Higher Education in ways sufficient to develop the workforce needed for Hawaii's future. A case in point is the $1.7 million allotted to the UH-Manoa School of Nursing.

"The House stands behind the UH community colleges in their mission to ensure access to quality post-secondary education for all residents of Hawaii. The community colleges prepare students for basic job skill training and ongoing workforce and development as well.

"Communities on Oahu will be safer because the amounts appropriated for EMS services have been increased, and funds to replace 2 of the 10 year-old lifpaks and worn out ambulances are included.

"In addition, the community hospitals have been supported – recognizing the struggles inherent in healthcare today.

"The budget strongly supports women's domestic violence shelters continued existence, and going opposite to the trend in Washington DC, family planning monies have been restored to the budget, taking us out of dead last place in the nation in this category.

"Victim services have also been given an increase in funding, showing recognition of the many needs crime victims have in our State.

"The budget is truly one which recognizes human needs, and the Herculean effort to secure its completion should be recognized. The Finance staff literally worked non-stop all Session sacrificing sleep and recreation, yet maintaining a helpful and cheerful demeanor. Their expertise in financial analysis coupled with their willingness to share information and teach others was amazing.

"Last, the Finance Chair should be commended not only for his 16 hour days, but also for his commitment to produce a fiscally responsible budget, providing for the future of Hawaii with an eye to possible fluctuations in the State's future financial condition. His tenacity has been incredible.

"I urge my colleagues to support this measure. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

'Thank you, Mr. Speaker. I'm rising in support with a few reservations. First, I want to say that this was really a pleasure working under our new Finance Chairman and with his very able Vice Chair who never complains, is pleasant at all times, and sits there for hours on end. It was just a good working relationship. The budget has so many pieces in it, just million of balls in the air, and many, many good things in there, and, of course, we are all 51 different people, so, we don't all see things the same way.

"I guess the biggest disappointment for me looking at over a $700 million surplus was the really fairly small amount of tax relief that came out of the budget at the end. I would love to see things work a little differently in the last few days of the Legislature. This past Friday night you had scores of bills that had money in them and it was just now becoming final and people were beginning to see what might go into those bills. But in Room 309, I felt like maybe 70% of the people were in the dark, shouting out, Three million the first year, three million the second year'. I mean, you know, 'What was that? Two hundred fifty thousand? Was that one year or two?' There's got to be a better way to do this. And then, of course, the tax relief is always kind of at the end there with what will be left. Who would be disappointed if they don't get this? What's the most important thing?

"So, I'm not saying it's an easy process. Easy to criticize when you're not sitting in that seat. But when you are representing a district and as others have said, we also represent all the people in the State, you want to be as knowledgeable as you can be. And it is very difficult to really get a firm picture of what's happening even when you have been part of the Finance Committee and you have been there for the whole Session. And at the end you're just going, 'Oh, I'm not sure what happened.'

"But I had hoped for a lot more. The Governor had proposed $340 million. I think one of the major things that she and the Director of Taxation had been pushing for is to raise that standard deduction which would take a lot of the people in the low income bracket right off the rolls. They wouldn't pay any taxes at all. Now, those very people, in order for them to get a tax rebate, even those that don't file

now, will have to file a long form in order to get that rebate. I don't think that was what the writers of our State Constitution meant when they created that section that talks about mandatory rebate. Many people will think they're going to get a check. They're not. It's a bit of a slap in the face, Mr. Speaker."

The Chair addressed Representative Meyer, stating:

"Representative Meyer, you will have an opportunity to address those comments at another time in regards to the measure that will be before this body. Could you confine your remarks now to just the budget bill, House Bill 500?"

Representative Meyer responded, stating:

"Well, the thing is that the tax relief comes out of the budget. So, it is very much related."

Speaker Say: "But you have another opportunity to talk about that particular issue, the constitutionality of the rebate. But please proceed."

Representative Meyer continued, stating:

"Thank you, Mr. Speaker. I will wrap it up. It's just that I think that the middle class, our bill talked about $60,000, but middle class is like two people working maybe like $80,000 up to a $100,000. So for those people we have said, 'You don't get a rebate.' And that's one of my problems. Thank you, Mr. Speaker."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. House Bill 500, H.D. 1, S.D. 1, C.D. 1, appropriates $135 million for the University of Hawaii West Oahu, of which $35 million will be issued in general obligation bonds. I have always said the government needs to live up to its commitment to the residents of the Leeward Coast residing in the Second City, which would include a world class university.

"House Bill 500 shows our commitment to the people of the State of Hawaii, the University of Hawaii System, and, particularly, the residents of the Leeward Coast by allowing the vision of UH West Oahu to finally come to fruition.

"I want to thank the members of the Finance Committee, our fearless Chair and Vice Chair, the Finance staff, and the Senate Ways and Means Committee for their hard work on this budget and for helping to make the dream of UH West Oahu a reality. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, just a few words, and I'm speaking in favor of the budget. As you all know, I am a former Finance Chairman, as you are aware. And I'm very impressed with this Finance Chairman that we have here in his first year. I am equally impressed also with his able Vice Chair and the members. And of course, one who is never mentioned, but is always behind the scene, is Representative Bob Nakasone. What would we do without Bob and CIP? Thank you all in the Finance Committee, and thank you to the staff sitting up there. Aloha."

Representative Shimabukuro rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to respond briefly to some of the claims that the Legislature only funded two-thirds of the needs for homeless and housing compared to the Governor's request. I just wanted to point out there are many items that were not requested by the Governor that were funded in bills and grants-in-aid, other measures, but are a part of our whole financial package.

"First of all, we have the $25 million GO bonds for Kukui Gardens in House Bill 667. We have several measures in House Bill 928 which provides homeownership funds for the very low income in public housing in Section 8. House Bill 835 for the Kunia Plantation workers provides much needed funds for their relocation and shelter. We have money for Safe House shelters for troubled youth, just to name a few.

"Then there's many, many grants-in-aid, just to name a few. HCCC, which has a homeless shelter out in Waianae is getting a grant-in-aid. Nanakuli Housing Corporation, Nanakuli Hawaiian Homestead Association, Habitat for Humanity. And then just to remind the body, like I said before, $75 million of the surplus went towards housing and homeless, and $195 million to health and human services. So, the Legislature, no doubt, put a high priority on the homeless and the needy. Mahalo."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support. We've heard a lot of accolades about the Chair and Vice Chair. No doubt they've done a great job. Also, the staff of Finance. But we shouldn't forget that we have a fresh crop of freshmen, both Minority and Majority, who have sat on this Committee and really worked hard and there's a lot of proof in terms of strength to this budget and the support they've given to their Chair and Vice Chair and they deserve a lot of credit, too.

"Another thing we heard, Mr. Speaker, is a lot about we didn't spend enough money or we spent too much money, depending on what program we talked about. And to all of us, I think that signals a good budget. In the end I think the Finance Committee looked very carefully and showed fiscal constraint and responsibility. They wanted to make sure that whatever money was spent would be spent well, and that we wouldn't overspend so that in the out years, particularly, if the economy softens, and we've heard discussions in the past couple of days of softening in this economy, both the national one through the fed and the local one, that we're not going to have to come back and cut programs that we funded.

"So, I think it says a lot about fiscal constraint and responsibility. It's always easy to give away money. Always easy, and it's hard to hold back for the rainy day. And that's what they've done here. Thank you very much, Mr. Speaker."

Representative Bertram rose to speak in support of the measure, stating:

"Yes, I rise in tepid support. I guess we really couldn't vote this down because we wouldn't have any money. But I do understand, all these numbers and the whole idea of rebates, as well as the surpluses and all that. I know for the common person, because I feel I am one, and this goes straight over my head. I have no idea what all these millions are and where they're going. But we did the best we could, but we're not the only player at the table. We're not the only people with money or with power, and that's where we really, really fell down.

"I keep hearing what the government can do or what they can't do. Well, we can't be the only player, we just can't. So, in Kihei, we may get a new high school built by a private developer if the State allows them. We may get. This House passed a CON reform, which would have allowed a $350 million brand new, privately run public hospital. And it was turned down by others. When we start letting go of these reigns of power or who makes these decisions, and open ourselves to other ways of doing things that actually encourages private investment. We're always going to be in the same discussion. Half a million there, five hundred here, like she was talking about. Five hundred, twenty-five thousand. When we're not including the very people who have the money.

"So, Mr. Speaker, I hope we can work next year for a no-cost item as part of the solution and as regulatory reform. In our Certificate of Need, in planning, in road construction, every single one of these things can benefit from private-public partnerships. And until we step forward and make regulatory reform a major issue, we are going to be having the same discussion probably until I'm old too. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm in support with some reservations. Mr. Speaker, I do, of course, want to basically say that I appreciate all the hard work of the Finance Chair and everyone that was involved. Just a couple of things that I did want to mention is overall, without trying to do nitpicking on programs or where we spent the money, overall one of the things or themes that I thought happened in the State budget is we're doing a lot this year and we're waiting next year to find out where we're going to be. And so a lot of things that were suggested by the Governor in the out year, the second year, did not get funded.

"And I can understand the reasoning because basically you're just saying, 'Well, we've got to find out where we're going to be? What are the Council on Revenue projections? As they change, and let's take a more fiscally responsible position.' But I would also argue that the fiscal responsible position is in the biennium, there's two years, and I believe that we do it in two years because what it does is it gives some stability. It gives some stability and the ability to plan. And that's why we don't have a, 'let's just take one year at a time' approach. So, overall, the theme of saying we're going to do a certain amount this year and we'll wait and see for next year really hinders, I think, a lot of the things and a lot of the future for the departments, the nonprofits, or whomever may be affected by it.

"For instance, and here's where I'm a little confused, too. In speaking with some of the folks that took a look at the homeless and housing part of the budget, there are three things that kind of look like its being transferred in, transferred out, or from interdepartmental transfers, and the three different things have to do with very important infrastructure that supports many affordable housing units. So, I would have preferred it if the language was just straightforward. Yes, this is what we're going to do.

"However, it looks like the money is going to go in one place, and possibly, interdepartmental transfer. I don't know why, but that's what's going on. This is the East-West Collector Road for Kapolei; Waiahole water, $2.5 million; and the North Kona water, as well. The affordable projects that that supports, the affordable housing that that supports is 1,100 units at Keahuolu Planned Community**;** 2,600 units for the Department of Hawaiian Home Lands in the Lai Opua Project. And on Oahu, there's a development of 2,138 housing units. And of that, you have 1,138 single family DHHL homes and 1,000 HHFDC units, which include 600 affordable multi-family rental units.

"So, Mr. Speaker, it's not that I'm saying that it's not funded, but because it's not quite doing it directly, that there could be problems with the actual money getting to where it needs to be and the actual implementation of getting these projects done. I'm concerned about that.

"In talking about planning out one year, two years, the Representative from Hawaii Kai mentioned the elevators that was a strong need. The elevator needs are so strong, and, basically, now, you're going to go, okay, we've committed $5 million out of this $15 million, and now you have to basically pick and choose which one, because we're not sure if we're going to get the other $10 million. I understand, like I said, the constraints with the money, but I'm not sure that doing that overall theme of, fund now, some, with no kind of commitment towards even next year, not even the out years of two, three, four years out. But just next year, I think, is difficult for departments as well as nonprofits to handle."

Representative Ching rose to yield her time, and the Chair, "so ordered."

Representative Finnegan continued, stating:

"Thank you, Representative. Another thing is we also talked about the, the Chair of Finance talked about $20 million in CIP, and this was for what the Governor had called repair and renovation at public housing. For many years now there have been a lot of discussion about vacant units. Puuwai Momi is in my district and there at least a year ago, there was, at least a year ago, there was almost a whole building that didn't have renters in there, and it was because there needed to be some renovation and repair. We did, in this budget, fund $20 million. The request was for $20 million this year and $20 million in the next year. And when we don't do that, we don't plan, we don't know how much we can actually get done within this two-year period. I think it is our responsibility to do that.

"And, on top of that, I have to step back and take a look at it and say, 'Okay, we are putting all of this money into repair and maintenance for the DOE,' and we want to do that. We also are putting another, I think it was $190 million for the operations and other things for DOE. So, when I look at that and I look at this, which is public housing and the vacant units, I have to say, at what expense to the rest of the State are we incurring, we're not helping with the public housing in this particular situation and we're addressing all of the DOE, or a lot of the DOE projects. I want to do that, but there is a bigger picture and by putting so much into the Department of Education, I'm afraid it's going to be not enough for the other areas.

"We don't want to come back and say, 'Let's fix our public housing ten years from now when the backup is whatever, $500 million.' It will never be that because we don't have that many projects, but, we don't want to do that. We don't want to go in the out years and say we 'coulda, shoulda, woulda'. And, so, I think, an approach, more even keeled, I guess, and saying that we want to be a little bit more on the planning side would have been my approach.

"But overall, looking at everything, I really have to say that there a lot of things that I can agree with, Mr. Speaker. I know that the Chair from Finance did an excellent job and he had a lot of pressure. I hope we didn't give him too many gray hairs, and I just really have to appreciate the process and hope that maybe we can rethink next year about how we do our planning. Thank you."

At this time, the Chair stated:

"Members of the House, we've had a lot of discussion. For those of you who would like to insert your written comments, the Chair will entertain that motion at this time. Does anyone have written comments to insert in the Journal?"

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chang rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chang's written remarks are as follows:

"Mr. Speaker, I am in support. On behalf of all of those involved in the University of Hawaii System, from students to supporters, alumni, faculty, staffs and administration, I want to thank the House Finance and Senate Ways and Means Committees and their hard-working staffs for their tremendous support.

"Of our entire surplus, 19% or $90 million was earmarked for the UH System's much needed positions and operating expenses.

"In the second year, when taking into account all funds, there are approximately 7,000 positions and over a billion dollars for each year.

"Thanks to Representative Bob Nakasone, Chair Marcus Oshiro and their Senate counterparts for CIP projects totaling over $183 million of general obligation bonds.

"This is a reflection of our strong economy and of us taking the opportunity to catch up in funding our higher education system that will provide the work force in all sectors, especially in nursing, teaching, and engineering, throughout the next decade.

"Mr. Speaker, this is our commitment to our future generations."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 50 ayes, and with Representative Manahan being excused.

At 2:55 o'clock a.m., the Chair noted that H.B. No. 500, HD 1, SD 1, CD 1, passed Final Reading.

At 2:55 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:09 o'clock p.m. with the Speaker presiding.

At this time, the Chair recognized the Clerk who announced:

"I have been informed by a representative of the President of the Senate that the Conference Committee Report for H.B. No. 500, HD 1, SD 1, CD 1, was adopted, and said H.B. No. 500, HD 1, SD 1, CD 1, Relating to the State Budget, passed Final Reading in the Senate at 11:46 a.m. on this day.

"In addition, I have been informed by the Assistant Clerk of the House that at 3:04 p.m., this day, H.B. No. 500, HD 1, SD 1, CD 1, has been duly transmitted by the Legislature to the Governor, pursuant to Article VII, Section 9, of the Hawaii State Constitution."

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 882) was received and announced by the Clerk:

Sen. Com. No. 882, informing the House that the Senate has on May 1, 2007, passed the following bill on Final Reading:

H.B. No. 500, HD 1, SD 1, CD 1	"RELATING TO THE STATE BUDGET."

At this time, the Chair announced:

"Before moving on at this point, I wanted to say thank you very much for all of your input in deciding which measures would be on the Consent Calendar, and which would be on the Ordinary Calendar."

Representative Caldwell rose, stating:

"Mr. Speaker, I would also like to thank the Majority and Minority for their cooperation on the Consent Calendar. The next ten pages are basically all Consent bills, so we can just move on and move for the adoption of these Conference Committee Reports and passage of these bills on Final Reading."

Speaker Say: "Members at this time, there will be no discussion on these items agreed upon by this body for placement on the Consent Calendar."

Representative Meyer rose to a point of inquiry, stating:

"Mr. Speaker, a point of inquiry. On the bills on the Consent Calendar, we do have one or two no votes on them. Do we just submit them to the Clerk?"

At 3:12 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:12 o'clock p.m.

CONSENT CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 11 and S.B. No. 618, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted, and S.B. No. 618, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 12 and S.B. No. 1008, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1008, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNUITIES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 13 and S.B. No. 667, SD 3, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 667, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 16 and S.B. No. 870, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 870, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 19 and S.B. No. 1750, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1750, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 24 and S.B. No. 1315, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1315, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 26 and S.B. No. 987, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 987, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 33 and S.B. No. 1161, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1161, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 37 and S.B. No. 1154, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1154, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 39 and S.B. No. 1182, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1182, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. This measure has been long overdue, as the needs allowance was last raised in 1988. The basic necessities that we take for granted, such as toothpaste, shampoo, and other items, have become too costly for those who have been on the monthly needs allowance. This modest raise from $30 to $50 will go far to make life a little easier for those who already must deal with hardship and difficulty.

"Mr. Speaker, I commend the Conference Committee for their work on this measure, especially the amendment which provides the need allowance for individuals who are incapacitated. Again, this measure will make a difference in the lives of those less fortunate.

"My only concern, Mr. Speaker, is that adequate safeguards to protect against fraud and misuse are in place to help these individuals maintain an acceptable quality of life. Our goal should be that this money goes to the individual and not the institutions that may be providing care for them. I urge the Department of Human Services to require a high degree of accountability for the uses of this money.

"This measure demonstrates the Legislature's commitment to the health and well-being of the people of Hawaii. With funding for this measure already provided in this session's biennium budget, this Legislature, Mr. Speaker, has shown that it is indeed committed to helping those who need it the most. Thank you and I urge my fellow legislators to support this measure."

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I rise in support of Senate Bill 1182, S.D. 2, H.D. 1, C.D. 1. Mr. Speaker, the purpose of this bill is to provide an increase in the Personal Needs Allowance for nursing home residents from the current $30 per month to $50 per month, and an annual cost of living increase thereafter. The $30 amount was mandated in 1988 by the federal government as the minimum amount for nursing home residents receiving Medicaid. The Personal Needs Allowance is used by nursing home residents to spend at his or her discretion on items such as phone calls, sending cards to friends and family, reading materials, hobbies, haircuts, clothes, footwear and other items. This is important because it enables the resident to maintain a minimum level of independence and decision-making while living in a nursing home environment.

"Mr. Speaker, in 2001, a survey conducted in all 50 states by the National Ombudsman Resource Center concluded by saying and I quote, "It is important that states, particularly those that are still at the federal of $30 increase the allowance to compensate for years without an increase. In addition, automatic increases in the Personal Needs Allowance are important to keep pace with the economy."

"Mr. Speaker, in 2006, forty-three states provided an average of $50 per month to residents on Medicaid. Several states are presently working on increasing their Personal Needs Allowance.

"Mr. Speaker, if we were to take the Consumer Price Index and use the 1974 amount as a base line of $25 per resident and take into consideration the increase of the cost of living, to match the same buying power between 1974 to today's buying power of the dollar, would amount to over $115. Clearly Mr. Speaker, raising the amount to $50 has been long overdue and for the sake of our *kupuna* and those who are less fortunate, I strongly urge my colleagues to support this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and S.B. No. 1182, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEEDS ALLOWANCE," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 40 and S.B. No. 1222, SD 3, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1222, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 42 and S.B. No. 1929, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1929, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 44 and S.B. No. 17, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 17, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of Senate Bill 17 S.D.2, H.D.2, C.D. 1 – Relating to Procurement. Mr. Speaker, an architect's professional liability insurance only covers harm caused by the design professional's negligence. It will not advance the cost of defending other parties before the negligence of the design professional is established. The State's current contract language provides an unacceptable risk especially considering that design professionals are personally liable, and in addition, that this liability would follow those design professionals into their retirement years.

"Neither the City and County of Honolulu, nor the federal government makes this requirement. In absence of the contract, there would be no obligation to defend another party, as under common law, only the obligation to indemnify is required. It is never appropriate to shift this responsibility to those wishing to do business with the State of Hawaii. The cost of the State's defense would be paid for by the consulting firm, as their insurance does not cover the defense of another party. Under Professional Liability policies, the insurance would pay for damages and expenses incurred due to the consultant's negligence, which would include the defense costs of the State of Hawaii. But if there is no negligence, the insurance does not pay for these costs.

"Mr. Speaker, this issue has risen because the State has unfairly attempted to shift their risk from public works projects to design firms, by asking design firms to defend the State in legal actions, even if the design firm is not negligent. Since the State and its citizens derive much more benefit from public works projects than design professionals, requiring design firms to defend the State in absence of negligence is unreasonable. Thank you, Mr. Speaker, for allowing me to give comments in support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and S.B. No. 17, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 46 and S.B. No. 795, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 795, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I rise in strong support of SB 795, SD2, HD1, CD 1. SB795, SD2, HD1, CD 1, will create a State Building Code Council that would establish a comprehensive building code. This Council will appoint a subcommittee, to include the various counties that will recommend any necessary or desirable State amendments to the model codes as it applies within their jurisdiction.

"Mr. Speaker, currently counties adopt building codes on independent schedules, resulting in the simultaneous use of several archaic building codes in Hawaii. These older code provisions may not include improvements to implement disaster-resistant building constructions standards. As a result there is a lack of consistent building standards from county to county. A coordinated process to bring the various building codes in compliance with updated standards will improve public safety and promote efficiency in the construction industry.

"Passage of SB795, SD2, HD1, CD 1, establishes a State building code that incorporates the latest editions of nationally recognized codes and standards thereby promoting the health, safety and welfare of the occupants of buildings and structures. It will provide for uniformity across counties, recognizing that the counties can amend the code to permit some uniqueness.

"I believe that the proposed Bill will draw on the expertise of local design professionals and government agencies responsible for code enforcement that would bring their experience with local conditions and practices that are critical to the design of safe, secure and efficient buildings for our community.

"Thank you Mr. Speaker and I ask my colleagues to support me on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and S.B. No. 795, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 47 and S.B. No. 678, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 678, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 48 and S.B. No. 149, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 149, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 50 and S.B. No. 1284, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1284, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 52 and H.B. No. 1646, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1646, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 53 and H.B. No. 1628, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1628, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 54 and H.B. No. 349, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 349, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 55 and H.B. No. 714, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 714, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY VEHICLES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 56 and H.B. No. 71, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 71, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker I am in support of House Bill 71, H.D.2, S.D.2, C.D.1. Mr. Speaker the measure we have before us codifies existing responsibilities of three State agencies in the certification of nurse aides of Medicare/Medicaid certified nursing facilities. This bill further proposes to certify and recertify nurse aides in State licensed and State agencies, the DCCA, the Department of Health and the Department of Human Services.

"Mr. Speaker, passage of this measure will enhance consumer safety. It requires all nurse aides employed in State licensed or certified healthcare settings in the State to successfully complete State approved nurse aid training and examination to be certified. In addition Mr. Speaker, this measure will provide uniform training, examination and continuing competency requirements for all nurse aides certified by the State of Hawaii.

"The necessity and impact of this proposal is immense. As sometimes happens, the passage of time, the evolving nature of the long term care provider landscape and the density of the statutory jungle can result in unaddressed issues going unnoticed, because they either did not exist or were not relevant at the time the original law passed. The current statute was enacted many years ago to conform to federal mandates, it pertains only to CNA's in Medicare/Medicaid certified nursing facilities. We must understand that the law, at the time it was enacted, did not concern itself with non-Medicare/Medicaid nursing facilities, nor did it address such elements of the long term care continuum as assisted living facilities, adult residential carehomes, adult foster carehomes etc.

"We now find ourselves in a position where huge number of CNA's who are the backbone of the health and long term care industry, according to the wording of the present State law, are without legal processes by which they can be certified or recertified. This measure would remedy that dire and urgent problem. It provides for a reasonable transition and ensures the continuation of the high standards of quality of care for which Hawaii is known.

"Thank you Mr. Speaker, and I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 71, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 57 and H.B. No. 1264, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1264, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 58 and H.B. No. 1370, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1370, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 60 and H.B. No. 1612, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1612, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I am in support of House Bill 1612 S.D. 1, C.D. 1. Mr. Speaker every day, we are faced with the possibility of identity theft. We often hear of corporate databases being stolen and social security numbers being compromised. We have heard of friends and relatives, Mr. Speaker and no one in this body is immune to identity theft. Anyone who has been a victim of identity theft suffers from the loss of large sums of money, hours of time spent trying to correct their credit reports and immeasurable frustration knowing that it could happen again at any time.

"Mr. Speaker, under current Hawaii laws, only a victim of identity theft may place a security freeze on their credit report. Passage of this measure will allow Hawaii to join the vast majority of other states with credit freeze laws which allow anyone to freeze their credit report. Out of approximately twenty-five states that currently have credit freeze laws, twenty allow anyone to freeze their credit report.

"Under current law, unless someone has become an actual victim of identity theft, it is virtually impossible to freeze one's credit report. Numerous states have broadened eligibility for seeking the freeze because of a widespread perception that restricting the freeze to victims, provides inadequate protection against identity theft.

"For example Mr. Speaker if someone's personal information has been stolen as a result of a security breach, a citizen cannot ask that their credit report be frozen. Instead, they have to wait until they can establish that their identity has been stolen. The victim of the security breach is limited to asking for a "fraud alert" which recent studies have shown to be inadequate. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 1612, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 61 and H.B. No. 1337, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1337, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEATH CARE INDUSTRY," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 64 and H.B. No. 375, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted, and H.B. No. 375, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIANS' RIGHT OF WAY," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 65 and H.B. No. 1518, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1518, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I am in support of House Bill No. 1518 H.D. 1, S.D. 2, C.D. 1. Mr. Speaker, this House Bill proposes Certificate of Merit requirements that will go a long way toward reducing frivolous lawsuits against design professionals by requiring a plaintiff or their attorney to hire a qualified professional to certify that the case brought before a design professional has merit, and there is evidence of errors and omissions or negligence. This will help improve the professional liability insurance climate in Hawaii and provide fairness, equity, and justice in our legal system with regard to design professionals.

"Mr. Speaker, many malpractice and negligence claims brought against architects and engineers have no material basis or justification in fact or in law. Nevertheless, these groundless suits are a source of considerable cost to architects and engineers in terms of direct expenses, increased insurance premiums, lost productive time, and tarnished professional reputation. Engineering firms and their insurers often settle frivolous lawsuits simply to avoid the cost of defending themselves. For small firms, the cost of defense could jeopardize the firm's existence. Meritless suits also waste valuable public resources and choke the civil justice system.

"Mr. Speaker, as a case in point, a number of states such as California, Colorado, Maryland, Oregon, Missouri, New Jersey and Texas have adopted "certificate of merit" laws, which require the plaintiff to consult with a third-party design professional to review the facts of claim before moving forward. Data from California indicates that the law has helped to reduce the number of frivolous suits, and to reduce professional liability insurance rates. With the deletion of the Design Conciliation Panel by the Hawaii Legislature in 2004, the Certificate of Merit brings some balance to the judicial process for design professional firms. Thank you, Mr. Speaker. I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 1518, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONALS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 69 and H.B. No. 791, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 791, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, this bill requires fuel distributors to report to DBEDT on the distribution and availability of non-ethanol gasoline to provide information to the Legislature and aid in its formulation of Hawaii's energy policy. Specifically, this bill will explore and address the problems that a niche market made up of boaters, fishermen, motorcyclists, antique car operators, certain aviators, and a plethora of other small gas-engine-driven machine owners have contended with since the removal of non-ethanol gasoline in Hawaii.

"Ethanol-blended fuel has been known to degrade fiberglass fuel tanks which are common in marine and small airplane applications. Ethanol dissolves the fiberglass resins, which creates a sludge that clogs fuel filters and leaves a thick coating on the valves, consequently ruining engines and creating a dangerous situation for mariners and aviators as the likelihood of engine failure is significantly increased. It is to be noted that the Federal Aviation Administration forbids small airplanes from using ethanol-blended fuel because of problems such as this.

"While the Legislature has been forward thinking in its energy policy and should be lauded for its ongoing commitment to reducing Hawaii's dependence on imported fossil fuels through the promotion of renewable energy; it is key to assess every policy impact as it applies to all people within the State. Further, it is vital to study aspects of our energy policy that may have unintended consequences that jeopardize public safety. Therefore, HB 791, CD1, is a necessary means to improving the State's energy policy and ensuring its safe application."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 791, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 70 and H.B. No. 1246, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1246, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 71 and H.B. No. 1130, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1130, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, this bill would exclude Internet activities conducted by uncompensated persons or committees from the definitions of "contribution" and "expenditure". I believe this measure encourages participation in the electoral process.

"Many individuals may not have the monetary resources to contribute to the candidate of their choice, but would like to contribute to their candidate's campaign in some form. In this day and age, the Internet is an extremely popular method to disseminate information quickly to a large amount of people and can be more effective than paper fliers or mailers. The use of the Internet to endorse a candidate is no different from an individual or group

walking the district of the candidate and going door to door to the homes of the candidate's constituents.

"Therefore Mr. Speaker, I support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 1130, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 75 and H.B. No. 1372, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1372, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 76 and H.B. No. 1063, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1063, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 78 and H.B. No. 334, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 334, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Karamatsu submitted written remarks in support of the measure as follows:

"I am in support. This is an exciting time for Hawaii where companies in our State created by local residents are researching and developing technology to produce and store renewable energy. One such company is Sopogy, Inc., which is developing clean electricity from a renewable and abundant resource, the sun, at a price lower than the market price and independent from oil price fluctuations, which is in the best interest of the public.

"I am happy to play a small role in assisting Sopogy, Inc. by introducing and supporting this measure that would authorize the issuance of special purpose revenue bonds in an amount not to exceed $10,000,000 to assist the company with planning, designing, constructing, equipping, and operating a solar farm power plant at the Natural Energy Laboratory of Hawaii Authority or another suitable site in the State. I look forward to the exciting work of Sopogy, Inc. as they help Hawaii and our world produce clean energy. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 334, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 80 and H.B. No. 402, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 402, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 81 and H.B. No. 250, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 250, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 83 and H.B. No. 1322, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1322, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Brower voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 86 and H.B. No. 34, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 34, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I rise in support of this measure. On the surface, this measure may seem to be symbolic and have little or no effect on Sudan, a country far away and removed from these islands. Yet, when taken as a part of the world-wide movement against the declared genocide and atrocities that have occurred in Sudan, this measure becomes a much stronger tool against the continuation of those unspeakable acts of violence and inhumanity.

"I commend the Conference Committee for the amendments made to this measure which had addressed legal concerns and the concerns of the Employees' Retirement System. This Committee made certain that only companies with direct dealings with Sudanese businesses or entities would be subject to action, in response to federal inquiries about the legality of such actions. Mr. Speaker, this makes the measure not only more effective, but also more manageable for the ERS. The ERS had been placed in a difficult situation of balancing the interests of its beneficiaries with the moral issues at stake.

"Divestment, which this measure has determined as the most severe penalty for a company with direct dealings with the Sudan, has already been proven to be effective. Mr. Speaker, I am reminded of similar actions by this same body in addressing apartheid and the segregation that existed in South Africa. Divestment worked then, and I believe, Mr. Speaker, that this measure will have the same effect on ending the genocide and violence against our fellow human beings in Sudan. Thank you."

Representative Magaoay submitted written remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I am in strong support of House Bill 34 S.D.2 C.D.1. Mr. Speaker, the President has declared that the massacres in Darfur, supported by the Sudanese government, are genocide. Meanwhile, some companies, namely our Employees' Retirement System, invest and continue to do business in Sudan.

Therefore, the State of Hawaii is directly supporting genocide by allowing these investments to continue.

"In the late 1980's, the Employment Retirement System divested over one billion dollars from countries that do business with South Africa. We did that as a way of pressuring the South African regime to stop their heinous policy of apartheid. Two weeks after the Employees' Retirement System announced our divestment, the South African regime released Nelson Madela. Our divestment was one of the five largest in the country. Was it instrumental in securing Nelson Madela's release? We will never know. But we did act to use our investments to support our moral convictions. And the Employees' Retirement System continued to thrive even with this enormous divestment.

"Mr. Speaker, another situation has arisen in Darfur, a situation that may be even more tragic than the South African apartheid because of the huge death toll involved and the displacement and virtual starvation of hundreds of thousands in Darfur. So we must act again.

"The ongoing genocide in the Darfur region of Sudan is one of the worst humanitarian crises in recent memory. Up to 400,000 members of our human family have been killed, and over 2.5 million have been displaced by the Sudanese government forces and its allied Janjaweed militias. Women and children are routinely tortured, raped and murdered. The extent of the carnage is incalculable.

"After the Rwandan genocide of 1994, the world, again said, 'Never again.' And yet here we are – again. Mr. Speaker, the citizens of Hawaii are horrified by this repugnant assault on humanity. The more difficult question for many is simply: What can we do to stop it?

"Among the measures being taken by California and other states, and being considered by the Hawaii Legislature is this measure we have before us and that is the divestment of funds from companies actively supporting the Sudanese government.

"As a Legislative body, we want to be sure that our tax dollars do not benefit Sudan's genocidal regime and allow their offending actions to continue. The extreme circumstances surrounding the genocide in Darfur make divestment a reasonable option, and indeed, the only moral option. This is the first time in history that genocide has been declared while atrocities are still ongoing. In the last months, the situation in Darfur has deteriorated so much that the lives of four million people dependent on humanitarian aid are seriously threatened. Mr. Speaker, as an example, thirteen aid workers in Darfur have been murdered since the May 2006 Peace Agreement. Most aid groups such as Oxfam and Global have already suspended operations citing the intolerable danger their workers face. Four-hundred thousand people have already died in genocide, but millions more can be saved if U.N. peacekeepers are allowed into Sudan, creating an environment in which aid workers can return and a sustainable peace agreement can be reached.

"Mr. Speaker, I strongly urge all my colleagues to vote for this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 34, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 87 and H.B. No. 1005, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1005, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 88 and H.B. No. 162, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 162, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 89 and H.B. No. 1231, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1231, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 90 and H.B. No. 667, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 667, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of this measure. In recent years, affordable housing has become one of the most pressing issues and dilemmas that the State must solve. Kukui Gardens presented an extremely unique and difficult situation as a majority of the tenants are elderly immigrants, some of whom speak little or no English. The preservation of Kukui Gardens as an affordable housing area was quickly recognized not as something that <u>should</u> be done, but something that <u>needed</u> to be done.

"Mr. Speaker, the sheer number of tenants who depend upon the reasonable rents and its location in urban Honolulu was identified through the dedicated and concerned residents who made it a point to attend each hearing when this measure was discussed. We owe it to these residents to make sure that they will not be forced out into the streets.

"Mr. Speaker, I stand here with pride and renewed conviction due to the efforts of all those involved in the resolution of this matter. Community leaders, fellow legislators, and most importantly, the people themselves, have allowed this measure to proceed. This Legislative Session, the first step, a very important step, was taken. There are more steps to take, but I believe, Mr. Speaker, we are on our way. I voice my strong support for this measure, and urge my colleagues to do the same.

"With your permission, Mr. Speaker, I would like to submit 2 memos that clearly underscore and indicate the long term legislative intent of this measure. Thank you."

LINDA LINGLE
GOVERNOR

ORLANDO "DAN" DAVIDSON
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
HONOLULU, HAWAII 96813
FAX: (808) 587-0600

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GOVERNOR'S OFFICE

IN REPLY REFER TO:
07:PEO/58

April 19, 2007

The Honorable Colleen Hanabusa
Senate President
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin K. Y. Say
Speaker of the House
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Senate President Hanabusa and Speaker Say:

Re: Kukui Gardens

I wish to advise you that substantial progress has been made in negotiations with Carmel Partners towards a structured transaction by and among Kukui Gardens Corporation (KGC), Carmel Partners, and Hawaii Housing Finance and Development Corporation (HHFDC) which if finalized would result in the long term preservation of the Kukui Gardens complex as an affordable housing project in a cost effective manner from the State's perspective. I am, therefore, alerting you that a general obligation bond appropriation of $25 million for fiscal year 2007-08 will be needed from the State Legislature in order to fund the State's initial cash contribution to such a structured transaction, if successfully concluded. I have summarized below the proposed general structure of the proposed transaction.

First, please refer to the enclosed Kukui Gardens site map. Under the proposed transaction, the 22 acre property would be split into two parcels. HHFDC would acquire the fee ownership of Parcel A from KGC. Parcel A is approximately 10 acres in size, and contains approximately 389 units in the buildings located thereon. In order to take advantage of private activity tax-exempt revenue bonds and non-competitive (4%) tax credits, HHFDC will need to partner with a private nonprofit housing entity that would be granted a long term below market ground lease demising Parcel A and all buildings and improvements thereon, including the approximately 389 rental units. HHFDC currently

anticipates partnering with EAH, a nonprofit housing corporation, as the owner/operator of the rental units on Parcel A. EAH was established in 1968 and is one of the nation's largest nonprofit housing development and management organizations in the western United States. It manages the 350-unit Kukui Towers which is located nearby Kukui Gardens.

Under the proposed transaction, the rents for the existing 389 units on Parcel A would be kept affordable to households earning 60% or less of the HUD area median income. In addition, the potential exists to develop additional units on Parcel A. Under a plan which HHFDC has reviewed, approximately 340 more affordable rental and for-sale affordable units could be added to this portion of the site. Please note that additional and typical HHFDC financing resources would be needed to make these additional improvements to Parcel A.

Carmel Partners would acquire fee ownership from KGC of the land and improvements comprising Parcel B.

As a further and important part of the proposed structured transaction, Carmel Partners would agree to operate and maintain the existing 468 units on Parcel B at the affordable rents charged in accordance with the existing HUD Regulatory Agreement (with possible CPI increases) until May 2011. Between May 2011 and May 2013, Carmel Partners would be able to gradually increase the rents on these 468 units. After May 2013, all 468 units will continue to be rented at rents affordable to households earning 140% and below the HUD area median income for 55 years (to May, 2062).

The cost to acquire the land and improvements comprising Parcel A is approximately $60 million. Estimated State resources required for the acquisition and renovation of the existing 389 rental units on Parcel A are as follows:

- $50 million State appropriations[1]
  - $25 million in FY 2007-08 for land acquisition
  - $25 million in FY 2009-10 (in the following biennium) equity infusion after renovations are completed
- $45 million tax-exempt revenue bonds to acquire buildings and for renovations
- $32 million in federal and state low income housing tax credits over 10 years

The use of tax-exempt revenue bonds and tax credits are typical financing mechanisms for affordable rental housing projects and do not require legislative approval.

[1] Approximate and subject to appraisal

While a number of details need to be clarified and refined, I am optimistic that we, collectively, will be able to successfully conclude negotiations with Carmel Partners for a structured transaction which will preserve the existing 857 units in the Kukui Gardens complex as an affordable housing project for the next 55 years or longer at a cost effective basis for the State.

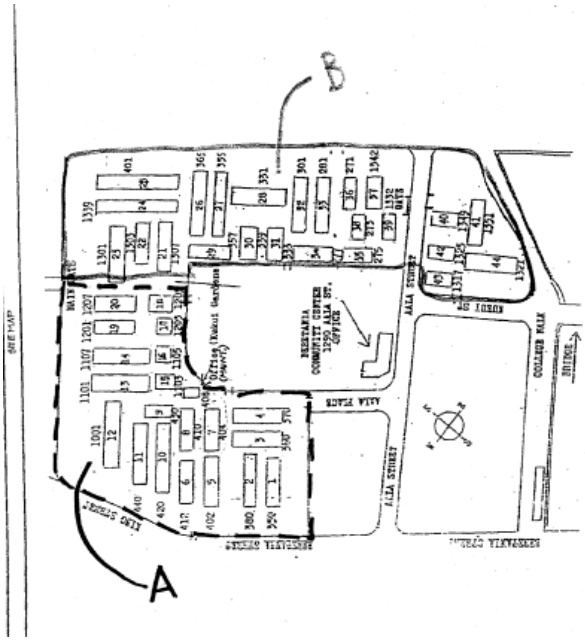
Should you have any questions regarding any of the above, please call me at 587-0680.

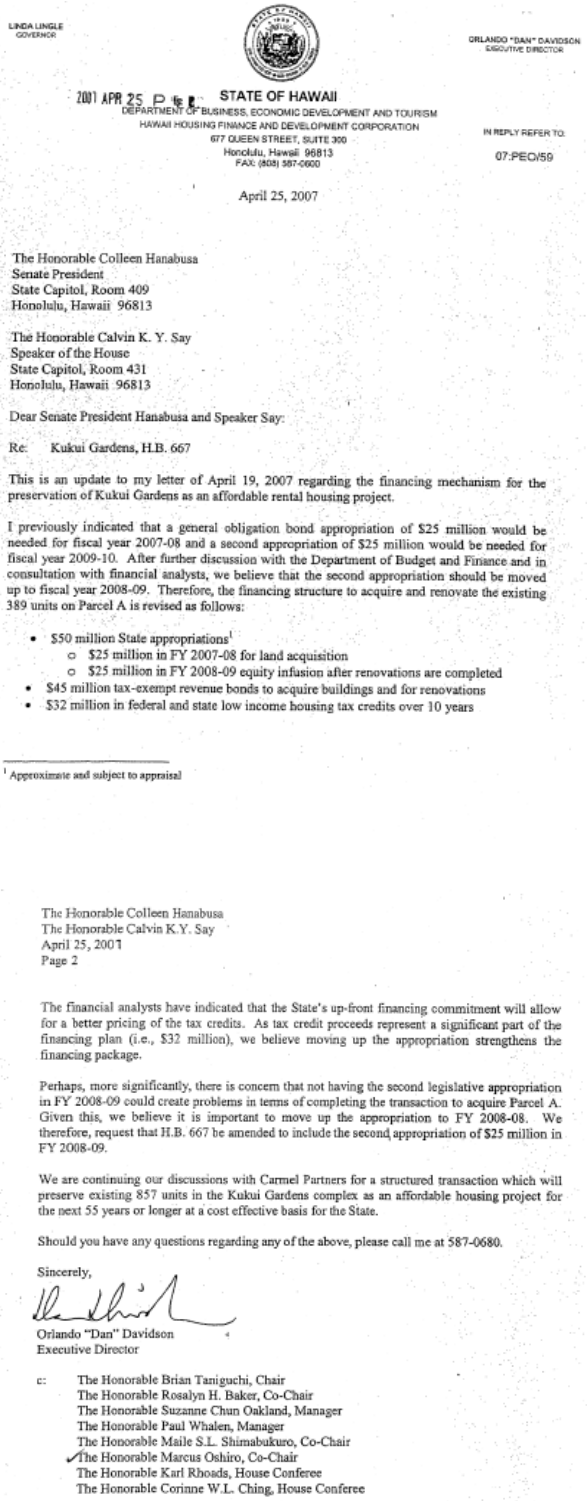
Sincerely,

Orlando "Dan" Davidson
Executive Director

Enclosure – Kukui Gardens site map

c: The Honorable Brian Taniguchi, Chair
The Honorable Rosalyn H. Baker, Co-Chair
The Honorable Suzanne Chun Oakland, Senate Conferee
The Honorable Paul Whalen, Senate Conferee
The Honorable Maile S.L. Shimabukuro, Co-Chair
The Honorable Marcus Oshiro, Co-Chair
The Honorable Karl Rhoads, House Conferee
The Honorable Corinne W.L. Ching, House Conferee





LINDA LINGLE
GOVERNOR

ORLANDO "DAN" DAVIDSON
EXECUTIVE DIRECTOR

2007 APR 25 P 1:

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
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FAX: (808) 587-0600

IN REPLY REFER TO:
07:PEO/59

April 25, 2007

The Honorable Colleen Hanabusa
Senate President
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin K. Y. Say
Speaker of the House
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Senate President Hanabusa and Speaker Say:

Re: Kukui Gardens, H.B. 667

This is an update to my letter of April 19, 2007 regarding the financing mechanism for the preservation of Kukui Gardens as an affordable rental housing project.

I previously indicated that a general obligation bond appropriation of $25 million would be needed for fiscal year 2007-08 and a second appropriation of $25 million would be needed for fiscal year 2009-10. After further discussion with the Department of Budget and Finance and in consultation with financial analysts, we believe that the second appropriation should be moved up to fiscal year 2008-09. Therefore, the financing structure to acquire and renovate the existing 389 units on Parcel A is revised as follows:

- $50 million State appropriations[1]
  - $25 million in FY 2007-08 for land acquisition
  - $25 million in FY 2008-09 equity infusion after renovations are completed
- $45 million tax-exempt revenue bonds to acquire buildings and for renovations
- $32 million in federal and state low income housing tax credits over 10 years

[1] Approximate and subject to appraisal

The Honorable Colleen Hanabusa
The Honorable Calvin K.Y. Say
April 25, 2007
Page 2

The financial analysts have indicated that the State's up-front financing commitment will allow for a better pricing of the tax credits. As tax credit proceeds represent a significant part of the financing plan (i.e., $32 million), we believe moving up the appropriation strengthens the financing package.

Perhaps, more significantly, there is concern that not having the second legislative appropriation in FY 2008-09 could create problems in terms of completing the transaction to acquire Parcel A. Given this, we believe it is important to move up the appropriation to FY 2008-08. We therefore, request that H.B. 667 be amended to include the second appropriation of $25 million in FY 2008-09.

We are continuing our discussions with Carmel Partners for a structured transaction which will preserve existing 857 units in the Kukui Gardens complex as an affordable housing project for the next 55 years or longer at a cost effective basis for the State.

Should you have any questions regarding any of the above, please call me at 587-0680.

Sincerely,

Orlando "Dan" Davidson
Executive Director

c: The Honorable Brian Taniguchi, Chair
The Honorable Rosalyn H. Baker, Co-Chair
The Honorable Suzanne Chun Oakland, Manager
The Honorable Paul Whalen, Manager
The Honorable Maile S.L. Shimabukuro, Co-Chair
The Honorable Marcus Oshiro, Co-Chair
The Honorable Karl Rhoads, House Conferee
The Honorable Corinne W.L. Ching, House Conferee

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 667, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 91 and H.B. No. 835, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 835, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in support of this measure. This measure is intended to assist the employees, retirees, and families who live at Kunia Camp and Poamoho Camp.

"Specifically, this measure establishes a program for low-interest loans and grants for home acquisition and property rehabilitation for affected plantation workers. This measure also establishes a rental assistance program and provides supportive services to prepare displaced or affected workers for homeownership.

"The closing of Del Monte Fresh Produce has had a significant adverse affect on pineapple workers, as many workers and their families live in plantation homes owned by the company. With the closing of Del Monte Fresh Produce, many workers find themselves undergoing a transition period during which they must continue to find a way to support themselves and their families. The intent of this measure is to assist the workers affected by the closing with supportive services, low-interest loans, and rental assistance.

"For the record, I'd like to provide a historical account of what has happened to these people. In February 2006, Del Monte announced plans to shut down its Hawaii pineapple operations in 2008. However, in November 2006, 2 years ahead of schedule, the company announced that closure would be immediate. The Del Monte employees were stunned. They were preparing to transition into new jobs, but needed time to complete education and training programs. They thought they had 2 years. Most of the workers only know plantation work. 90% are Filipino immigrants with limited English proficiency. According to the International Longshore & Warehouse Union ("ILWU"), of the 516 bargaining unit workers about 150 have found new jobs, but it is uncertain what their pay and benefits are.

"Federal funds are available for their training and education programs, but developing the knowledge and skills for new employment will take time. Meanwhile, these workers must pay their rents and mortgages with far less income than they had while employed by Del Monte. Financial help of any kind for their housing expenses will provide welcome relief to the workers as they transition.

"Many former Del Monte workers currently live in one of two camps that had been operated by Del Monte for employees and retiree housing. Others live in rental units or homes they are purchasing in the private market. Housing needs vary for each of them. It should be pointed out that the Hawaii State Legislature in 1995 provided assistance to the Waialua Sugar workers laid off when the company closed in 1994. Acts 30 and 31, provided for mortgage assistance and rent subsidies, but only eight mortgage loans were made and four rent subsidies were granted.

"Those living in Kunia or Poamoho Camp pay relatively affordable rents, but their primary concern is ensuring the viability of their camps. The Kunia land is owned by Campbell Company, which intends to assist the residents to maintain their affordable homes. Del Monte has pledged to continue to operate Kunia Camp until its lease

with Campbell expires in December 2008. Thereafter, no one knows for sure what will happen to the homes. Poamoho Camp is now owned by Hawaiian Island Homes (Peter Savio) which plans to keep homes affordable and eventually wants to turn ownership over to a cooperative of residents. Both camps are situated on agriculturally zoned land and face issues related to land use ordinances and building codes. Those living outside the camps are faced with high rents and mortgages. With less income, they will struggle to keep up with payments.

"Mr. Speaker, I am pleased that the Conference Committee allocated $600,000 in general funds for both fiscal years 2007-2008 and 2008-2009, to provide for mortgage loans and rent subsidies. This amount could provide about 200 workers with a $500 monthly grant for six months. The Hawaii Housing and Finance Development Corporation ("HHFDC") will develop criteria and administer the funds. This assistance should be viewed as an investment to prevent homelessness and to help preserve a special way of life. The plantation traditions and values are alive and well in Kunia and Poamoho Camps and can be nurtured with this assistance. Thank you."

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of HB 835, HD2, SD1, CD1. Mr. Speaker, I believe that the passage of HB835, HD2, SD1, CD1, will help to address the negative effects of the closure of Del Monte Fresh Produce. The Del Monte workers were already in a bad situation when they were told that Del Monte's pineapple operation in Hawaii was set to close in 2008. This past November, things only got worse as Del Monte announced "immediate" closure – two years ahead of schedule.

"The transitional period for these workers to find new employment was always going to be difficult. Most of these workers know nothing else but plantation work, and for a vast majority English is not their first language. The fact that the closure has occurred two years earlier that expected, only compounds the problems of these displaced workers.

"The paramount concern of these workers is housing. Currently, many employees, retirees, and their families live in plantation homes. The closure could mean that these families will lose their homes. By passing this bill, the Legislature can come to the aid of these families who are simply trying to keep a roof over their heads.

"This measure will establish a program of low-interest loans and grants for home acquisition and rehabilitation; establish a rental assistance program; and provide supportive services to prepare current renters for homeownership.

"The plight of these displaced workers is of the utmost importance to me, and I am committed to seeing them successfully transition into new employment and secure adequate housing for them and their families. This measure will do much to facilitate such success.

"Thank you Mr. Speaker, and I ask my colleagues to support me on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 835, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 92 and H.B. No. 1605, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted, and H.B. No. 1605, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC CONTROL," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Finnegan voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 98 and H.B. No. 869, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 869, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 99 and H.B. No. 1614, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1614, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of HB 1614, HD1. The purpose of HB 1614, HD1, is to appropriate funds out of general revenues to continue the enforcement and prosecution of the drug nuisance abatement law.

"I believe that continued funding of the Drug Nuisance Abatement Unit of the Attorney General will provide for the effective enforcement and prosecution of the nuisance abatement law related to the distribution or manufacture of drugs, and will assist law enforcers in keeping our streets free from the hazards of these drugs.

"In a report by the Department of the Attorney General, over 1,192 complaints about drug houses and illegal drug activity have been made to the Unit, since July of 2003. In that time, 645 of the cases have been closed, leaving the Unit with an existing backlog of 575 complaints. In addition, new complaints are made to the unit's hotline each week. At present, the Unit's personnel consist of one Deputy Attorney General, one full-time Investigator V based on Oahu, and a half-time Investigator V based on the island of Hawaii. In order to increase the number of drug house closings and decrease the backlog, funding for the Drug Nuisance Abatement Unit will have to be imperatively increased so that additional personnel can be hired.

"Appropriation of said funds will effectively provide the necessary personnel and provisions that are needed by the Attorney General's Office to implement the services that this Drug Nuisance Abatement Unit provides.

"Thank you Mr. Speaker and I ask my colleagues to support me on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 1614, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 102 and S.B. No. 1382, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1382, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 103 and S.B. No. 1388, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1388, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 104 and S.B. No. 1372, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1372, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 105 and S.B. No. 990, SD 2, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 990, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY MONITORING," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 107 and S.B. No. 1946, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1946, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 112 and S.B. No. 1515, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1515, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 115 and S.B. No. 1779, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1779, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 116 and S.B. No. 1916, SD 2, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1916, SD 2, HD 3, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support of SB 1916, SD2, HD 3, CD1. Mr. Speaker, there is a shortage of care providers in Hawaii. Family care giving has become a critical element of our healthcare and long-term care systems.

"As Hawaii Legislators, it is imperative that we establish the necessary elements to address this increasing need in the state of Hawaii. We must develop and design a comprehensive and sustainable, community-based family caregiver support system, that will maximize resources in all communities.

"SB1916, SD2, HD3, CD1, requires that the Legislative Committee be extended and conduct a comprehensive assessment of care recipients' needs and the needs of their family caregivers; by requiring the Executive Office on Aging to conduct a comprehensive assessment of grandparents raising grandchildren in Hawaii, and conduct an assessment on appropriations needed to expand services for care recipients and their family caregivers, including the continuous development of the aging and disability resource center project.

"I believe that passage of SB1916, SD2, HD3, CD1, will strengthen the much needed support of family caregivers by extending the Joint Legislative Committee on Family Care Giving, and assist this Legislature in providing appropriations to implement its purposes.

"Thank you Mr. Speaker and I ask my colleagues to support me on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and S.B. No. 1916, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 119 and S.B. No. 992, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 992, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Brower voting no, and and, with Representative Bertram being excused.

Conf. Com. Rep. No. 128 and H.B. No. 122, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 122, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro submitted written remarks in support of the measure as follows:

"Mr. Speaker, I am in strong support for House Bill No. 122, House Draft 1, Senate Draft 1, Conference Draft 1, Relating to State Funds.

The purpose of this bill is to increase transparency in state government by requiring the Department of Budget and Finance to develop a single searchable website for the purposes of public disclosure by any for profit or nonprofit entity that receives certain types of financial assistance by the State. Financial assistance does not include single transactions less than $25,000 and credit card transactions before October 1, 2009.

"This bill was modeled after the Federal Funding Accountability and Transparency Act of 2006 which was sponsored by U.S. Senators Tom Coburn from Oklahoma, Tom Carper from Delaware, and Hawaii's own, Barack Obama from Illinois and signed into law by President Bush on September 26, 2006.

"In Hawaii, support for this bill has come from diverse members of our community. With your permission, I ask to insert an article written by Kristina Rasmussen, Sr. Government Affairs Manager for the National Taxpayers Union; David Williams, Vice President of Policy for the Council Against Government Waste; and Richard O. Rowland, president of the Grassroot Institute of Hawaii.

"With the passage of this bill, Hawaii will be aligned with the Federal government by providing its citizens access to both federal

and state government spending. This is a big step forward for Hawaii in a continuing its effort to maintain a level of trust and accountability with its budgetary process. I urge my colleagues to support this bill. Thank you, Mr. Speaker."

Upping Transparency in Hawaii Government
Taxpayers Support Creating Grant and Contract Database in Hawaii
By Kristina Rasmussen, David Williams and Richard O. Rowland, 4/13/2007 1:14:31 PM

Open Letter to Hawaii Lawmakers

On behalf of our thousands of members in Hawaii, we ask you to support SB 1689 and HB 122, which were introduced by Senator Les Ihara, Jr. and Representative Marcus Oshiro, respectively.

If signed into law, this legislation would create a public website (available by January 1, 2009) that would list every entity receiving state financial awards (e.g., grants, loans, awards, and contracts) over $25,000. Providing such a database would better enable state residents to make sense of how their tax dollars are being parceled out. Both SB 1689 and HB 122 have passed their respective chambers.

As you may know, last year President Bush signed S. 2590, the Federal Funding Accountability and Transparency Act, into law. Originally sponsored by Senators Tom Coburn (R-OK) and Barack Obama (D-IL), the bipartisan legislation directs the U.S. Office of Management and Budget to create a searchable online database (located at www.federalspending.gov) that the general public can use to track the flow of hundreds of billions of dollars in federal grant and contract expenditures.

Hawaii residents deserve the same kind of tool from Honolulu. Creating a similar website on the state scale would entail little cost, but it would greatly increase transparency in the distribution of precious tax dollars and help hold elected officials accountable for their spending programs. While more than a dozen other states have limited versions of disclosure websites for grants and/or contracts, no state to date has created a single comprehensive database. By acting now, Hawaii has the opportunity to lead the nation in making government spending data more easily accessible to the public.

Currently, HB 122 and SB 1689 call for exempting all expenditures under $25,000 from the database, which is also the federal exemption limit. We would strongly recommend that the bills be amended to lower the financial threshold for inclusion in the database. Given that the State of Hawaii spends vastly less than the federal government, providing for public inspection of all defined expenditures (or at least those above $5,000) would be a positive adjustment.

As we found at the federal level, support for this legislation will likely transcend party lines. Advocates from across the opinion spectrum share the common notion that transparency of and public access to government information is vital to the health of our political system. We sincerely hope you decide to support this legislation and help pass it into law. If we can be of any assistance in this effort, please do not hesitate to call upon us.

Kristina Rasmussen is the Sr. Government Affairs Manager for the National Taxpayers Union; David Williams is the Vice President of Policy for the Council Against Government Waste, and Richard O. Rowland is the president of the Grassroot Institute of Hawaii.
Hawaii Reporter"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted, and H.B. No. 122, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 131 and H.B. No. 1630, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1630, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 132 and H.B. No. 15, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 15, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

Conf. Com. Rep. No. 133 and H.B. No. 598, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 598, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, and with Representative Bertram being excused.

At 3:14 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. 618, HD 1, CD 1
S.B. 1008, SD 1, HD 2, CD 1
S.B. 667, SD 3, HD 2, CD 1
S.B. 870, SD 1, HD 2, CD 1
S.B. 1750, SD 1, HD 1, CD 1
S.B. 1315, SD 2, HD 1, CD 1
S.B. 987, SD 1, HD 2, CD 1
S.B. 1161, SD 1, HD 1, CD 1
S.B. 1154, SD 2, HD 2, CD 1
S.B. 1182, SD 2, HD 1, CD 1
S.B. 1222, SD 3, HD 2, CD 1
S.B. 1929, SD 2, HD 2, CD 1
S.B. 17, SD 2, HD 2, CD 1
S.B. 795, SD 2, HD 1, CD 1
S.B. 678, SD 1, HD 1, CD 1
S.B. 149, SD 1, HD 1, CD 1
S.B. 1284, SD 2, HD 2, CD 1
H.B. 1646, HD 2, SD 1, CD 1
H.B. 1628, HD 1, SD 1, CD 1
H.B. 349, SD 1, CD 1
H.B. 714, HD 2, SD 1, CD 1
H.B. 71, HD 2, SD 2, CD 1
H.B. 1264, SD 1, CD 1
H.B. 1370, HD 1, SD 1, CD 1
H.B. 1612, SD 1, CD 1
H.B. 1337, HD 1, SD 1, CD 1
H.B. 375, HD 1, SD 2, CD 1
H.B. 1518, HD 1, SD 2, CD 1
H.B. 791, HD 1, SD 1, CD 1
H.B. 1246, HD 1, SD 1, CD 1
H.B. 1130, HD 1, SD 1, CD 1
H.B. 1372, HD 1, SD 1, CD 1
H.B. 1063, SD 1, CD 1
H.B. 334, HD 1, SD 1, CD 1
H.B. 402, HD 1, SD 2, CD 1
H.B. 250, HD 2, SD 2, CD 1
H.B. 1322, SD 1, CD 1
H.B. 34, SD 2, CD 1
H.B. 1005, HD 2, SD 1, CD 1
H.B. 162, HD 1, SD 2, CD 1
H.B. 1231, HD 2, SD 2, CD 1
H.B. 667, HD 1, SD 2, CD 1
H.B. 835, HD 2, SD 1, CD 1
H.B. 1605, HD 1, SD 1, CD 1
H.B. 869, HD 1, SD 2, CD 1
H.B. 1614, HD 2, SD 2, CD 1
S.B. 1382, SD 1, HD 1, CD 1
S.B. 1388, SD 1, HD 1, CD 1
S.B. 1372, SD 1, HD 1, CD 1
S.B. 990, SD 2, HD 3, CD 1
S.B. 1946, SD 2, HD 2, CD 1
S.B. 1515, SD 2, HD 2, CD 1
S.B. 1779, HD 3, CD 1
S.B. 1916, SD 2, HD 3, CD 1
S.B. 992, SD 1, HD 2, CD 1
H.B. 122, HD 1, SD 1, CD 1
H.B. 1630, HD 2, SD 2, CD 1
H.B. 15, HD 2, SD 2, CD 1
H.B. 598, HD 1, SD 1, CD 1

At this time, the Chair announced:

"Members of the House, please don't forget to let the Clerk know which House and Senate bills on the Consent Calendar you would like to insert comments on for the Journal. This must be done before the adjournment of today's Floor session. For any of you who would like to submit remarks, please get it done before adjournment this evening."

At 3:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:16 o'clock p.m.

ORDINARY CALENDAR
UNFINISHED BUSINESS

Conf. Com. Rep. No. 9 and S.B. No. 139, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 139, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE TAX," passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 10 and S.B. No. 755, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 755, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in favor of this bill to have County Ethics Commissions. At the beginning of this year, you said, I'm happy to say, that we are here trying our best to improve the conduct of all elected officials and State officials in trying to bring the trust and confidence back to the people of Hawaii. This bill looks like it will bring back some of that trust in our counties. We're even going to require the City and County of Honolulu to do the same thing, even though they already have an Ethics Committee.

"I think the sad part of this bill, Mr. Speaker, is that we are not applying the same high standard on our own body and the Legislature. This bill does not go far enough. I would have liked to see this bill call for the establishment of a Standards of Conduct Committee similar to that proposed in House Bill 1909. That's the one the House proposed.

"I commend you for trying to establish this Ethics Committee. I would have also liked to see someone be able to bring a charge against someone on the county council to such a Standards of Conduct Committee, just like someone could bring a charge against members of the Legislature as proposed in House Bill 1909. I would have liked to have seen the Standards Committee with authority to recommend ethics rules for members and employees of its respective councils, and review ethics issues as requested by the Chair of the County Council as in House Bill 1909. I think we could also have asked the counties to consider ruling out nepotism or considering drug testing for its members. After all, if it's good enough for our teachers, it may be good enough for us.

"Mr. Speaker, I would have liked to have seen all these things in this bill. Even though they are not here, I will still vote with a full and resounding yes because I believe that elected officials should be held to a higher standard of ethics and steps in that direction should be supported. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd like to register an aye with reservations on this measure. I believe that this is anti-home rule. I think it's up to the counties to create county ethics commissions. I don't think we'd like the County of Honolulu to set up an ethics commission for us, but maybe that's the only way we'll get one, but that's my problem with this."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I just need to clarify some of these mischaracterizations, again, on this bill. Really, it's about letting an independent body select who is going to be the Commissioner, same as we have for our State Ethics Commission. It's an independent body separate from our legislative body that makes the evaluation on ethics issues, and that's what we're doing here. That's all the bill was about. It was letting an independent body be set up to address these concerns.

"I find it very surprising that the Representative from Waialae Iki has been saying she wanted to see all these things in it because when we had the Committee Report that she voted aye on, on March 15, 2007, I don't recall any of that discussion occurring at that time. Like the Chair of Judiciary has always done, he's entertained any potential recommendations, but none of that came to the table. Instead, she's trying to fold in H.B. No. 1909, which, unfortunately, has not passed the body and is something that we can take up at a later time. But this bill is specifically limited just to county ethics commissions, and I think we should all be voting in strong support. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I too, had concerns of homerule concerns. You know, I'm a big homerule advocate or 'freak', but I contacted our County Council and they're actually in very strong support of this measure. They don't think there is political will at the county level to ever initiate this kind of thing. They're in very strong support, so, I'm in strong support, as well."

Representative Marumoto rose to respond, stating:

"Mr. Speaker, in my defense, I will say I was very supportive of the House bill when we voted on it because it did contain some of the features that I specified, and I would have supported the Senate bill, as well. But I would just like to point out that we are being hypocrites by demanding a county ethics commission and not passing one for ourselves. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"In support. Thank you. Just to clarify. Currently, the Mayors appoint the Ethics Commissions for the counties and the county councils approve. What this bill does is it conforms to the State Ethics Commission as a model, where an independent body appoints them. And that's what we're asking the counties to do. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 755, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ETHICS COMMISSIONS," passed Final Reading by a vote of 51 ayes.

At 3:22 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 139, SD 1, HD 1, CD 1
S.B. No. 755, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 14 and S.B. No. 1675, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1675, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS," passed Final Reading by a vote of 50 ayes, and with Representative Mizuno being excused.

Conf. Com. Rep. No. 15 and S.B. No. 1425, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1425, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a potential conflict. My family is in contracting," and the Chair ruled, "no conflict.

Representative Thielen continued in support of the measure, stating:

"Thank you. And, Mr. Speaker, I do support the bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1425, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER," passed Final Reading by a vote of 50 ayes, and with Representative Mizuno being excused.

Conf. Com. Rep. No. 17 and S.B. No. 1924, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1924, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I am in strong support of SB 1924 SD2 HD2 CD1. This bill would allow the sale of up to fifteen acres of land to an eleemosynary organization for a community center. I am in support of this measure because it would allow the Salvation Army Kroc Corps Community Center to be developed in the Ewa region. The Kroc Corps Community Center will provide quality programs and services to the residents of Ewa and Kapolei.

"Hawaii was selected over competing states because of support from community leaders, businesses and City and State officials during the application process and this measure would provide further evidence of support for this project. Accordingly, I stand in strong support of SB 1924 SD2 HD2 CD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1924, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE," passed Final Reading by a vote of 50 ayes, and with Representative Mizuno being excused.

Conf. Com. Rep. No. 18 and S.B. No. 866, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 866, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Final Reading by a vote of 50 ayes, and with Representative Mizuno being excused.

Conf. Com. Rep. No. 20 and S.B. No. 58, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 58, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Final Reading by a vote of 50 ayes, and with Representative Mizuno being excused.

Conf. Com. Rep. No. 21 and S.B. No. 1017, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1017, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker, I just wanted to point out a couple of things. Throughout the length of this bill, what this bill tries to accomplish is basically money in grants-in-aid that was appropriated last year and due to some language, Habitat for Humanity has not been able to utilize those funds. I understand that an AG opinion was completed as to the legality of it and that is actually not the problem. It's not a legal issue. It actually is that $700,000 that Habitat for Humanity is supposed to establish a zero-interest revolving loan fund to be used to provide loans to low income families to build self-help ownership homes.

"In the past, the reason why they were unable to establish this or use this money is because last year there was this section where it says, to be administered in accordance with subpart (b) and, basically, it refers to 201. At the time it was G, and now it says H, and that's Hula Mae Funds by the Hula Mae Loan program. And over the year, Habitat for Humanity and Hula Mae tried to do exactly what this says, but they cannot integrate the two programs together. So, it's not a legal issue, and the AG would not be able to say that this bill is flawed or anything like that, legally.

"What happens is there's going to be another year where Habitat for Humanity will not be able to use this $700,000. We were wanting to do an amendment, but because of our history of not being able to pass amendments on the Floor, we didn't attempt to do one. So, we just pointed out a glaring error, and what had happened was throughout both Houses, I believe, the section in which it connects it to Hula Mae was never discussed. This was put in during Conference Committee. I would almost think that why would you want to do that when you've heard throughout the whole Session that they are unable to do it, so, I'm just kind of puzzled."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I'd just like to read an e-mail that we just received from HHFDC, Mavis Masaki, a planner. I'm just quoting her. She says, 'Before I spoke with you this morning', and it's my office manager, 'I consulted with the Deputy AG working with me on the Habitat contract. She's assured me that the floor amendment is not necessary and that we will be ready to execute the contract with Habitat by the end of the month with amended contract language that she is preparing. I am meeting with her this Thursday to go over the amended contract language. The only other remaining items that must be completed before we can execute the contract and encumber the GIA monies is to obtain the necessary certifications from Habitat, such as tax clearance, labor certification, etc. I've also spoken with Kathi Hasegawa', who's from Habitat for Humanity, 'this morning to discuss this with her and let her know that we'll make it work on our end.'

"It seems it's hopeful that has been addressed and I think we all agree that Habitat is a very worthy cause, and it appears as though the problems have been worked out. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with some reservations that probably have just been taken away, except I want to put a strong plug in for Habitat for Humanity. We have a housing crisis and we also have a housing solution. This area using local labor with small amounts of money using people who have equity in a house, 'sweat equity', by doing fantastic things. If there's any delay in that $700,000, I think we're cutting off our nose to spite our face.

"This is something I've seen firsthand not only at the Carter Center in Georgia, but I've seen in Aceh the first housing that went up was Habitat for Humanity. So, they're not only doing good things here, but all over the world, and to let them go on unbridled and free to do what they can do, I think is the best thing that we can do. So, I hope the previous speaker and the Chair speaks precisely from her e-mail and the implementation will be decision driven."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. If that is true, I am very happy to hear that they are working it out. It was a strong point that they were saying that it was near to impossible that they would be able to work out the two programs together. So, if they did the impossible and are able to figure it out, then great. I just hope that we don't have to come back and try to fix it later."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support for SB 1017 HD1 CD1.

"Habitat for Humanity is a self-help home building/buying program for low-income families who are in need of a simple, decent and affordable home. Currently, there are many ongoing Habitat projects in areas where "truly" affordable homes are scarce. There are many homeless/houseless families who are working, but cannot afford the cost of buying a traditional home. The funds provided by this bill will allow for a zero-interest revolving home loan for at least 30 families on the Leeward side of Oahu to become homeowners. We need to support this effort. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1017, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 50 ayes, and with Representative Mizuno being excused.

At 3:29 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1675, SD 1, HD 1, CD 1
S.B. No. 1425, SD 2, HD 1, CD 1
S.B. No. 1924, SD 2, HD 2, CD 1
S.B. No. 866, SD 1, HD 1, CD 1
S.B. No. 58, SD 2, HD 1, CD 1
S.B. No. 1017, HD 1, CD 1

Conf. Com. Rep. No. 23 and S.B. No. 188, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 188, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. This bill, Mr. Speaker, originated from a special guy. He's from Hawaii Kai, but it doesn't have his name on it any longer. He's the great orator that, I think, a lot of you will know by name and reputation.

"But the purpose of this bill is to clarify the Small Business Regulatory Act. Mr. Speaker, some of us go way back to the mid-90s when we went to the White House Conference on Small Business where Small Business Regulatory Acts were sweeping the nation. We then came back from the Washington conference and had essentially a Statewide Small Business Congress by which then the following year, 1997, legislation was submitted. And this Act was actually passed.

"What we've done through the years is to perfect it and to, with this bill, even make it better so that when there's a regulation, its impact on small business will be written up, circulated for input very democratically, and very systematic for the sake of small business survival. Having curtailed my remarks, Mr. Speaker, the remainder I wish to insert in the Journal with your permission. Thank you," and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure.

"This bill was originally introduced by the Senator from Hawaii Kai. The purpose of the measure was to clarify the Small Business Regulatory Flexibility Act.

"It would achieve this purpose by providing that a small business impact statement will be prepared and submitted to the Small Business Regulatory Review Board as early as practicable in the rule drafting process, providing that adopted rules affecting small business will be reviewed to determine if they are still appropriate within five years after adoption, and making nonsubstantive changes to Chapter 201M, HRS, to clarify the definition of a rule to remove outdated sections of the chapter.

"The bill was amended a few times and in its present form it does the same basic thing, but it goes a little further in that it asks the Board to review all new rules and those being amended and not only the ones they think should be reviewed, and ask that the Board would inform small businesses whose complaints that have not been upheld, that the business may submit a complaint to the Ombudsman.

"It clearly sets forth when a small business impact statement is to be submitted to the Small Business Regulatory Review Board during the drafting phase for new and changed administrative rules.

"It adds a review of new changed rules to the list of the Board's "powers" that were focused on existing rules.

"It requires a draft to be sent to the Board which is essentially complete. This encourages a dialogue between the drafting agency and the Board before it is sent to the Governor and for public hearing.

"It requires agencies to submit rules to the Board every odd year for review and for the Board to review them and submit a report of the results to the Legislature.

"It allows a small business to petition the rule making agency objecting to the impact of a rule. If the agency doesn't make changes, the Board will consider the merits of the petition. If the Board does not recommend the small businesses' changes, then the Board should tell the petitioner that they can submit their complaint to the ombudsman.

"Mr. Speaker, these changes will continue to ensure and allow our smallest firms to have a voice in ensuring that Administrative Rules are not overly burdensome, while regulatory agencies can still provide for consumer, environmental, and workplace safety considerations as they carry out their responsibilities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 188, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Final Reading by a vote of 47 ayes, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

Conf. Com. Rep. No. 25 and S.B. No. 46, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 46, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. The purpose of this bill is to require a public disclosure in a timely manner of proposed changes to compensation packages for University of Hawaii administrators. Sounds reasonable. But is it? Consider this.

"The University of Hawaii is a public university supported by taxpayers of our State. We expect the best. We expect the Board of Regents, the President of the University, and the Chancellor to recruit top-notch personnel. We expect the best. But this bill will hamper that effort, Mr. Speaker. Allowing proposed compensation to be disclosed for public comment prior to a contract being negotiated or signed will clearly damage the University's bargaining position. This would frustrate the process by breaking confidentiality and potentially causing some applicants to withdraw for fear of affecting their current employment. Obviously, this would stifle our effort to get the very best.

"Think of it this way. Would you put the same requirement on union negotiations? Of course not. Thank you very much."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I'll try and make this really short. I had some concerns originally because I was going to vote no, and decided to change my mind. But what had happened originally was basically saying, we wanted to attract the best people and that might mean high salary. One of the things that Office of Information Practices was mentioning is that in this form, it may properly be withheld from public disclosure. I know the transparency is something that we always talk about and we want to make sure it remains in the forefront of the public that we're being transparent with them.

"The reason why I have reservations now and not voting no is because if you have a Board that overpays or gives contracts, a really high amount of money and that person is not worth the amount of money, then you would most likely say, 'Okay, through the appointment process, hold accountable the people who had appointed them.' Before it used to be the Governor. The Governor's responsibility was reflective of them and it would reflect off the Governor, and there was, to me, more accountability. As it stands, and I believe that will change, that there is less, in my opinion, accountability. And so, now I'm kind of changing my stance and saying, 'Well, if there's less accountability from the Board level, then maybe the only thing that we can do is have something like this.' Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this particular measure. I'd just like to point out what the OIP office said in testimony. They testified that the government employees have a significant privacy interest in proposed compensation, which generally is not outweighed by the public interest and disclosure. Consequently, the salary that an agency is proposing to pay an employee is currently not public information and may properly be withheld from public disclosure. This bill runs counter to the previous point by requiring the Board of Regents to disclose proposed compensation or changing compensation for certain UH administrative posts.

"OIP also went on to note that this bill may not be necessary. The Sunshine Law, and I'm quoting them now, 'Currently gives the public the opportunity to testify on any matters listed on the Board's agenda.' The Board's agenda must provide sufficient information so that the public knows what the Board intends to consider. As a result, 'although the exact salary that the Board proposes to pay a specific employee may not be included in the agenda, the Board is already required by the sunshine law to provide sufficient information to inform the public of its consideration of an employee's proposed compensation.'

"Although the goals of this bill are admirable, we should not place an under burden on UH that is not necessary. The testimony presented by OIP presents a compelling case of a right to privacy of an individual for proposed compensation. Moreover, this bill is not even necessary, as the Sunshine Law offers the public an opportunity for their input. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 46, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

Conf. Com. Rep. No. 27 and S.B. No. 1943, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1943, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm standing to speak against this bill. Mr. Speaker, this bill adds biofuel processing facilities to the list of permitted uses in an agricultural district. What concerns me is that it's not just processing facility that will be a permitted use in the ag district. It's also the appurtenances associated with the biofuel processing plant.

"My concern is that there won't be any land use review. Once it becomes a permitted use in the ag district, that's it. They can be built. There's no county land use review that would minimize any impacts that could occur. Biofuels are really on a fast track. The concern I have about that is that we have natural resources that are much better to tap for renewable energy. We have the wind, we have the ocean, we have solar, and those are the true renewable energy sources. Our ag land should remain in ag production for food for the people of Hawaii. We're going to need that. And as where conflicts escalate, we're going to need to know that we are self-sufficient with our food grown right here in the islands. Buy local, but you can't buy local if it's not grown local, so, save the ag land for food. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose to speak in support of the measure, stating:

"I rise in support. Mr. Speaker, with 60% of our ag lands from sugar and pineapple, and yesterday we just learned from Maui that, I think, pineapple is closing down. Until those 60% that are empty just growing weeds, I think we've got to get behind this. We want to diversify, we want to sustain. We have to also be entrepreneurial, experimental and open-minded. Otherwise we are wasting our lands because of the lack of use of them. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1943, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 44 ayes to 3 noes, with Representatives Berg, Ching and Thielen voting no, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

Conf. Com. Rep. No. 28 and S.B. No. 56, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 56, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Evans

and McKelvey voting no, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

Conf. Com. Rep. No. 29 and S.B. No. 1665, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1665, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

At 3:40 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:43 o'clock p.m.

Representative Cabanilla rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"With reservations in that the offense to rise to the level of a felony is too severe for some cases contained in the measure."

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. In opposition. First of all, I don't condone anyone abusing a pet. I think that we should take care of our animals. In fact, I just purchased a rabbit named Pufi for my daughter three days ago, and I told her that she must be responsible for it. If I didn't purchase Pufi, who is a one-year-old rabbit, they were going to give it to the Humane Society, and I know that they are going to put it to death.

"So, we saved this rabbit, put it in our backyard, gave her in a nice cage. And, now, my daughter has extra work to do, along with me. I'd like to point to this bill and say that it is really, really a big step for us to make causing the death or substantial bodily injury to pet animals a five-year felony. The bill, I think, does not treat each animal the same way, because if you look at the definition of pet animals, it means a dog or cat. That means it could be either a wild dog or a wild cat that no one owns, and you can still be included if you kill it or cause substantial bodily injury to it, you could end up being in jail for five years.

"For the rabbits, however, because my daughter's rabbit, Pufi, is domesticated, if someone were to kill or cause bodily injury to that rabbit, that would be a five year felony. But a hunter who's gone to the backyard somewhere, I don't know if we have wild rabbits somewhere that's running around in Hawaii, and you shoot it and cause bodily injury to it, that is not a felony. It's exempted. A domesticated pig, if you cause a death of substantial bodily injury to it, that will cause you to be prosecuted for a five year Class C felony. But a wild pig running around in Mililani, running around in Ka'u, somewhere where there are wild pigs, and you cause a death of that pig or substantial bodily injury to that pig, that is not a felony. That's not even a violation. So, we're treating animals by their status. Or, rather, we're giving them a different status.

"When I voted for this bill in Committee and I said, I'm voting yes, I had people calling me and saying, 'Why are you changing your vote?' I said that I really didn't change it because I feel any differently. I really don't feel that animals should be treated in a way that would cause people to be in prison for five years. I value them, but I think the law as it exists, one year in jail, I think, is sufficient. This bill goes one step forward and it takes a huge step for us.

"We are a community that's very diverse. We have different feelings and ideas about animals. But I think this idea where we take a cat or a dog, be it a wild cat or wild dog, or a domesticated cat or dog, domesticated rabbit, or domesticated pig, and treat them as if they were more valuable than our children left in cars. We as a society should have this discussion.

"I think most of society right now in the State of Hawaii, does not support a five year Class C felony for substantial injury or death to a cat or dog. Not when we still take the same animal, such as domesticated pig, for instance. If that pig was grown in a barn, put it in a slaughter house, we kill it, and put it on our plate. It's the same animal. Why do we give it a different status?

"If we really, truly care about animals. If we take a cat that's outgrown its use in the home or because you are moving, you give it to Humane Society, and they have hundreds of dogs and they destroy them, what is the exemption on that? In fact, the bill does not have an exemption because it might be problematic.

"Destruction of animals is exempted or you may be exempted from 711-A that's contemplated in this bill, that means you can cause the death of an animal by torture, mutilation, and poisoning … "

Representative Sagum rose to yield his time, and the Chair, "so ordered."

Representative Sonson continued, stating:

"Thank you, Representative. It does not give an exemption for anybody to put any animal to death. If it's an accepted veterinary practice, then maybe that's exempted. Activities carried on for scientific research governed by standards accepted for educational or medicinal purposes. That means you can take a dog or a cat and dissect it. Cropping or docking as customarily practiced, which I think is a good idea. But it does not have exemptions for anyone to put an animal, such as a cat or a dog, unless there is something else in the statute that exempts them, then the Humane Society, who is the main proponent of this measure should take a look at that to see whether or not they're exempt from killing cats or killing dogs or any of these domesticated animals that are contemplated in this particular measure.

"I'd like to point you again to page 4. It gives the definition of what is torture. Torture includes every act, omission, or neglect whereby unjustified physical pain, suffering or death is caused or permitted. That means, Mr. Speaker, that if I give my daughter the responsibility to care for Pufi and for some reason, I don't do a good job of supervising her, and Pufi dies, she has just become a victim in this particular bill because it is any act or omission causing death, although it is neglect.

"This is a dangerous bill. I think we're moving a little too fast. I don't think Hawaii is ready because no matter which we go on this bill, we're going to have somebody calling us. When I voted no on this the last four years I've been in this Legislature, I got phone calls saying, 'How would you like somebody stabbing you in the chest?' When I voted yes on this bill, somebody called me and said, 'How could you vote like that?' When I made a comment in the paper, and was quoting the paper that I think we should prefer human beings to animals when it comes right down to it, somebody called me on the phone and said, 'How dare you? How dare you prefer humans over an animal? How could you say such a thing?'

"There will always be people who will be unhappy no matter which way I go. So, I might as well be honest with you, Mr. Speaker, and this body. I do prefer humans over animals. I love animals. I have pets. But when it comes right down it, I'm not going to put anybody in jail for five years for the death of a dog or a cat. One year is sufficient. It's on the books.

"We're expanding this quickly because of special interest, but I think it is really, really difficult to craft legislation that is proper, careful, and that will not have negative consequences. It has unequal protection for pigs and rabbits. It is unequal protection for any animal that we put on our plate, really. So, Mr. Speaker and Members, I'm saying this because the public's going to look at us

anyway, and who is protecting animals and who is protecting humans? Basically, if you are for this bill, there will be people who are for you. If you don't vote for this bill, there will also be people for you. I think it is everyone's choice.

"I'm sorry for that yes vote. I was compelled to do so, and I might as well disclose it. That is the reason why I voted yes. I've never, ever meant to vote yes, but I had to. I would like to thank the Chair of Judiciary, the Vice Chair of Judiciary and the staff of the Committee on Judiciary and the House. They worked so hard in this measure. I know that I put considerable input into this and I thank them for their consideration. But when it comes right down to it, when it comes to put my cast this vote, I feel very strongly that we should limit punishment to one year, which is on the books, especially when we have such a conflicting bill which obviously we are not ready and prepared for. Thank you very much."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Pet animals provide companionship and enjoyment to their owners. Harm committed against pet animals causes significant emotional distress to their owners. Thus pet animals are protected by this felony provision and that's what this bill does. It strengthens Hawaii's animal cruelty law by creating a Class C felony offense of cruelty to animals in the first degree.

"In criminal law, there are three things that are required. You need an act. You need a state of mind. And you need a result. In this case, the act is to torture, mutilate or poison. You have to do one of those three things. You have to intend to torture, mutilate or poison. It has to be a conscious object to do this. Or you have to knowingly do this. And it has to cause a specific result, the result being death or serious bodily injury. Death is death, of course. But HRS defines serious bodily injury as an injury which causes a substantial risk of death or serious permanent disfigurement or protracted loss for impairment of a bodily member or organ. And the state of mind applies to all those elements. And as well, it has to be a pet animal.

"So, if there's a pig and you're hunting it, it's not a pet animal. You're not a felon. You're not a misdemeanant either. It applies to pet animals. So, again, this is for the most serious of acts against pet animals. The reason is because like I mentioned in onset; that for many people intentionally or knowingly killing or causing bodily injury to their pets causes huge injuries to them.

"And, by the way, just for the Members' information, we're only one of nine states, I believe, who doesn't have this. And this bill does not deal with cockfighting at all. If you notice the definition of pet animal, chickens or cocks are not included there. We also put in an exemption where you clip the tail or clip the ears. That's not a felony.

"We put an exemption in for pest control people for misdemeanor offense. If you intentionally kill a pet animal when you tent the house, well, that's a felony because you intended or knowingly did it. But if it was reckless, you're not a criminal. We did do a lot of work on this. We had the input of the Labor Chair. And by the way, he wrote half the bill. Anyway, thank you, Mr. Speaker."

Representative Herkes rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. The last time, I reserved the right to vote no on this bill. Mr. Speaker, I have two dogs that I adore. I would never hurt them. In fact, they get better medical care than most people in my district.

"When I was at Cornell Hotel School and taking courses in food, we were required to go New York City and watch the slaughter of chickens and steers. I know that's not covered by this bill, but you want to talk about cruelty to animals. What they do to the chickens. They put them on a conveyor belt. The heads are in a cone. The heads were sliced off. Then they're dipped in paraffin and the rubber rods knock off all the paraffin. The chickens in many cases are still alive.

"In the case of kosher kill for cattle, which is what is done in New York City, the cattle are lifted up by their feet, alive. The rabbi slices their throat. To watch that, and it was almost 50 years ago that I took those courses, it still sticks in my mind.

"So, if we want to talk about cruelty to animals, we need to go way beyond pets. If we're really going to talk about, let's talk about it. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"I'm still in opposition, Mr. Speaker. I just want to continue my comments regarding the charge of felony. It seems like we believe that harshening punishment is affixed to everything there is, and it's an easy way to fix something in our minds. But we received and heard different discussions repeatedly in this Chamber, that harshening punishment really does not deter crime. It only sounds good, but it doesn't work. We heard that same discussion on the three strikes bill and we still affixed it. We still made it to be 30 year mandatory, and I'm bringing that same discussion into this right now. And I think that this is just the practice of this Chamber and I'm saddened by that. That harshening punishment is the only solution that we can come up with.

"And, again, on the special status of animals, I've heard multiple times of children getting killed by vicious dogs, but yet we never do anything about it except to destroy the animal. We never go after the owner and make it a felony charge for them. There's a lot of inequity in this Chamber, Mr. Speaker, and I say this is one of them. This is definitely a special interest for people with special stature in which their initiatives and mandates are heard. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. There have been many arguments on this bill, I think, over this Session, and the most recent one about comparing this to chickens. Chickens, I will repeat for the third time, chickens and cockfighting are not in this bill. I want to also ask that the words of the Representative of Kailua, a big pet loving community, be entered as my own.

"In this bill, I count six times that pet animal is referred to. Pet animal. Not wild boar. Not wild chicken or wild feral cats, but a pet animal. And then domesticated pig. I submit that this bill is not against humans or against pets; or raising pets to a human level, or lowering humans to a pet level. What this bill is about is, it's against cruelty. That's how I read this bill. It's against cruelty.

"I personally think it's time we take a stand against those things that are uncivil. We have one of the worst rates in the nation for pedestrian fatality. We have one of the worst rates in the nation for a number of things, in this State that calls itself the Aloha State, and which bases its industry on tourism, which is the hospitality industry.

"Relatively, in making things well. What do you call cruelty? There is an old saying, 'Even a dog knows when it's been kicked', and no pun intended. Letters to the editor, phone calls, testimony. We have one of the highest rates of pet ownership in the United States, and I've gotten numerous calls on this bill. There are a lot of people, they are not pet owners, that don't like what they're hearing.

"If I can just briefly go through a few. Try this one. Someone coming on to your private property and says to the person who is trespassing, 'Stop, stop. It's a pet pig. It's a pet pig.' The person proceeds to come on your private property, take machete in hand, mutilate the pet, cut off one of its legs and run off with it. The pet,

for however you feel about pigs and all that, the pet pig was actually one of these, like the dog for one of the banks. It was a movie star pig."

Representative Green rose to yield his time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you. Conjure up this. Conjure up that someone coming on to your private property. I mean, relativity. You want to go with relativity. Nothing's cruel, nothing's bad, nothing's uncivil. But when something like that happens, it's a little different. This bill, I think, is a very well thought-out bill. It took a long time and we kept, in the past denying this bill. Deny, deny, deny, deny this bill. We took out the cockfighting. What we're talking about is decency here.

"I've said this before on the Floor. In particular, I must admit, I believe in dogs. Dogs have earned the distinction of man's best friend. They fought along side our people in war. They've died for it. They've been allowed on the floor of Congress. They take care of our people. In some cases, they're the only family for some of our members of society, for people without companions, for the blind. Some of them for elders, for people who have, in fact, they show that dogs have very much an effect on mental illness and people who are depressed. They've earned their right as man's best friend.

"I have friends on the mainland that are just thinking, I can't get over what's going on in the Aloha State. I don't understand why they're still one of nine that just won't do this. This is a very well thought-out bill. There are a lot of exemptions. I think that's a step in the right direction. If we're going to step towards civility, it is to say that we are anti-cruelty. And I think that's what this bill is about. We know the difference. We're not talking about just kicking a dog. We're talking about cruelty. And for those that understand that we don't allow that and the link between that, and later violence for people who have that sort of thing.

"I might add that it's one of the symptoms, when they talk about serial killers, etc., it's one of the symptoms. Early, cruelty to animals and continuously, how that can affect someone if you were to hurt their animal, and what that does to another person. I think it's pretty clear. This is not a frivolous bill, and I do take umbrage against it being cast that way. Thank you."

Representative Lee rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, I don't think it's any secret that I love animals. I've handfed, rocked, and nursed my 16-year-old dog, Flash, through several illnesses and I get up to take him outside, two to three times at night. Another dog of mine was rescued from a garbage heap and nursed to health. My five cats have been rescued as abandoned kittens screaming in hunger in the night, or starving adult cats that no one wanted. I've rescued many baby birds, handfed and protected them until they could fly, or given them a quiet place to die.

"A few weeks ago, I stood on the Floor of the House and said that this bill is long overdue. I still think that. I'm really sorry because I support the contents of the bill. But, today the Legislature and, particularly, the Senate has got its priorities wrong. We need to take a good look at what or whom we should protect.

"About two months ago, a little three-year-old Sarah Okutani died after being left in her seat in the back of a car all alone. It must have been a horrible death. The car's temperature likely rose to over a hundred degrees, and her body temperature to 105 to 106 degrees, causing her to have a severe dry mouth, eyes, and skin. She may have convulsed and vomited, and probably aspirated. She surely screamed in terror, but no one came. No one was there to listen and she died alone.

"So, Mr. Speaker, in good conscience, as a nurse and a mother of four, and a grandmother of two little girls about the same age as Sarah, I can't vote for this bill until the Legislature gets its priorities straight and passes a bill to protect and prevent injuries to children left alone in cars.

"Senate Bill 1665 creates a Class C felony. In the case of the Keiki Bill, all that was asked for was a fine. A fine, Mr. Speaker. Only $200 for the first offense; something that may have saved a little life. Inexplicably, that was turned down by the Senate. Therefore, I vote no on this bill with hopes that we decide to come back next year when we're thinking more clearly to pass bills that protect both our children and our animal friends. Thank you, Mr. Speaker."

Representative Meyer rose in opposition to the measure and asked that the remarks of Representative Lee be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Bertram rose to speak in support of the measure, stating:

"I'm standing in strong support. I understand all the discussions been going on, but I think it's true from everything that we do have to stand sooner or later for animals; for those who can't speak up and animals are one of those. Our whole society is rife with violence, not only to each other and ourselves, but to all the things around us. So, whatever step we can take is good.

"I also don't agree with heavy fines or heavy prison terms. I don't like it. But we do need to send a very strong message out there that any life that's above a plant, is precious and needs to be protected. And it says a lot about who we are that we don't trade that off for anything, and that we do protect the very things that are in our protectorate. So, I vote very much in favor of this."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with support with reservations. As the Chair of Public Safety, I need to point out that this bill does not have an appropriation. It does not look at a study on the impact that it may have on our facilities because it does have a Class C felony in it. That concerns me.

"I like the idea that we're addressing the cruelty to animals because I, like others that have spoken, believe that people that who can mutilate and do it viciously, could psychologically have problems with them. I don't know if throwing them in jail for five years is appropriate if you don't have the mental health services and the treatment services necessary. You put people in there like this, that may be extremely angry, just venting themselves on an animal. What happens when you put them in prison for five years and let them seethe? Where do you solve that problem of their internal anger? So, you put them right back into the community and again, they may commit a crime.

"So, if we're going to step up and say they need to be put in jail, then we'd better have the services and the programs and the facilities for them. Thank you."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm standing up with reservations. Last year this Legislature moved to make our shelters expand to allow pets, and as the introducer of the bill, I committed to supporting our friends and family members of the four-legged type. But I was also moved by my colleague from Mililani, so I will be voting with reservations."

Representative Sagum rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1665, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Final Reading by a vote of 41 ayes to 6 noes, with Representatives Chang, Herkes, Lee, Meyer, Sonson and Souki voting no, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

Conf. Com. Rep. No. 30 and S.B. No. 1833, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1833, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This bill talks about the Family Leave Act. The Family Leave Act pertains to companies with a hundred or more employees, but neither big nor small businesses should have their management rights taken away, especially, in these instances where they are required to permit employees to take up to four weeks of family leave.

"This bill changes the phrase, "employee or employer" by deleting the word "employer." It unilaterally permits an employee to elect to use accrued paid leave, including vacation, personal or family leave, for any part of a four-week period of family leave provided under law. The Family Leave Act provides a presumption that four weeks of family leave is: number one, unpaid; and number two, restricted to four weeks, unless otherwise agreed upon by both employer and employee, referring to an accrued ten sick-day limit or employment or collective bargaining contract.

"Under the Family Leave Act, employers who provide sick leave are required to allow employees up to ten sick days for part of the four weeks. It currently defers the election to the employee for up to half of the time. Passage of this measure allows employees to usurp managerial decision-making authority which greatly impacts other employees, operations and customer service.

"I have more remarks, Mr. Speaker, but I will just insert them in the Journal. Thank you," and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"For any part of the four weeks, an employer may need to hire a temporary employee for the remaining two weeks and may simply not be able to afford the cost of two employees for one position during the four weeks. Employers are substantially challenged by having to identify qualified replacement for short term placements. Also, when they do find replacements, it is extremely costly on the front end of the employment and training cycle.

"This bill is one-sided and places a disadvantage on employers who have generously provided paid leave that were intended to apply to absences caused by reasons under the Hawaii Family Leave Act.

"Permitting either the employee or employer is reasonable in the context of an employee/employer relationship. If employees anticipate the need for anything different, employers should not be forced to concede if it is not in the best interest of the company. The existing provisions do not prohibit employers to voluntarily permit employees the unilateral choice to elect if that is their company policy and non-discriminatory.

"It is one-sided as employers will have no guidance from this measure or legal recourse because even the Director of DLIR points out that there is no provisions for enforcement or regulation, or guidelines for proper accounting of paid and unpaid hours during the four weeks, or even at termination.

CLOSING

"The current version of the Family Leave Act adequately provides the public with protection from losing their jobs when they need time to take care of their personal or immediate family health concerns within a four week period.

"The Supreme Court consistently decides in favor of preserving management rights when management decisions do not infringe upon or abuse employee's rights. We should vote the same way. I urge my colleagues to vote WR or NO. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Final Reading by a vote of 46 ayes to 1 no, with Representative Meyer voting no, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

At 4:14 o'clock p.m., Representative Magaoay requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:19 o'clock p.m.

Conf. Com. Rep. No. 31 and S.B. No. 1004, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1004, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Carroll rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"Thank you Mr. Speaker. In support and I would like to present remarks on this measure.

"Mr. Speaker, the purpose of this bill is to increase access to mental health care by establishing requirements under which qualified, licensed psychologists practicing at federally qualified health centers may prescribe certain types of psychotropic medication under the general supervision of a medical doctor.

"S.B. 1004 represents a viable solution to address the significant access to mental health care problems that plague our State's medically underserved areas and populations.

"S.B. 1004, H.D. 2, S.D. 2, C.D. 1 has been amended several times to include significant changes that effectively respond to safety and training issues raised during the Legislative Session. These changes include: 1) increased training hours to exceed those required by the Department of Defense's PDP; 2) limiting the practice to Federally Qualified Health Centers only and not other clinics in underserved areas; and 3) improved language to further clarify the supervisory standards.

"Rural areas such as my district and others, are geographically isolated, impoverished areas and their residents are in a state of crisis when it comes to getting the mental health care they need and deserve.

"One doesn't have to look far to see the devastating effects of substance abuse, particularly ice. According to a Justice Department report, "Hawaii has the worst crystal methamphetamine problem in

the country and it is destroying families and communities with 40% of people arrested by police in Honolulu testing positive for methamphetamine use.

"Increasingly, community health centers in rural and urban areas are the providers of behavioral health care in at-risk communities because their patients, who typically have a number of social, educational, economic and health problems are more likely even than the norm to suffer from depression, anxiety and other mental disorders. At the same time, they are much less likely to have access to any behavioral healthcare providers other than those who work at the health center.

"The homelessness, domestic violence, and suicides that occur in our State on a near daily basis, are also prevalent and devastating and warrant attempts to improve and re-establish effective mental health treatment approaches. S.B. 1004 represents such an attempt. Oftentimes, these problems are the end result of normal stressors that go untreated and become chronic, lifestyle problems. The Community Health Centers are positioned to provide holistic, integrated care that could effectively treat and prevent problems such as depression, anxiety, and substance abuse from getting worse.

"The Hawaii Primary Care Association, along with the majority of Community Health Center CEOs, EDs, and Medical Directors, have testified in strong support of S.B. 1004. They have come to rely heavily on licensed clinical psychologists as members of their primary care teams to provide holistic, timely, and integrative behavioral health and primary care services.

"The Molokai Ohana Community Health Center and the Hana Community Health Center are both in my district and would be positively impacted by this piece of legislation.

"Hana is in one of the most isolated areas of our State. Their unemployment rate is 13% and almost half of the families that reside in Hana (47%) fall below the 200% Federal Poverty Level. Hana has the highest infant mortality rate in the State and meets federal designations for a mental health professional shortage area and medically underserved population. Fifty-one percent of the clinics' patients are either under- or un-insured, and 49% are Native Hawaiian.

"On Molokai, the Community Health Center was established in 2004, and also serves an island community that has been designated a mental health professional shortage area, as well as a medically underserved area. Ninety percent of the patients that frequent this health center live less than 200% below the Federal Poverty Level, 62% are either under- or un-insured, and 33% are Native Hawaiian.

"These community health centers are typical of those across our State in that among the patients they serve, 70% are in need of behavioral health services. However, in 2005, only about 11% of the community health center patients actually received these needed services. With extremely limited mental health referral networks in rural areas, and an overburdened mental health system statewide, the community health centers have become the de facto mental health system in many communities.

"Depression and anxiety are the two most often diagnosed mental health conditions in Hawaii's community health centers, accounting for 60-75% of all patient visits. These conditions have been linked to strikingly higher costs; thus, people who report persistent untreated depression have annual adjusted medical costs that are 70% higher than those who do not report having depression.

"We cannot ignore the fact that the community health center community is largely in support of this bill.

"The CEO's from Waianae and Waikiki have testified in person at recent hearings. The medical director, Dr. Dan Shuman, from Molokai Community Health Center was also here at the last Consumer Protection hearing testifying about the high quality of care provided by the psychologists he has worked with in his center. Dr. Ric Custodio and Dr. Bob Bohnert have also testified in overwhelming support based on their real life experience in working with psychologists who have already received some extra training in psychopharmacology and provide irreplaceable services in both their primary care clinics and emergency room department. The community health centers know what they want, and what will work best for their patients. They want the psychologists who are already working successfully on their teams to receive advanced training to enhance their ability to manage the medication aspects of the behavioral health patients' needs, and to provide combination therapy (both medication and talk therapy) which has proven to be the most effective treatment approach for multiple psychological problems.

"Community health center doctors are overwhelmed with their patients' behavioral health needs. They deliver half of all mental healthcare in the U.S. and account for more than two-thirds of all psychoactive agents and 80% of all anti-depressants in the U.S.

"In a survey of our local community health center doctors, primary care physicians reported the top three functions they see as essential in the primary care setting: (1) behavioral health intervention (therapy); (2) psychotropic medication consultation; and (3) relapse prevention/compliance enhancement. Combination therapy (both medication and talk therapy) is the most effective treatment approach for the most common problems seen in community health centers.

"Psychologists have proven to be leaders in serving Hawaii's rural and underserved populations and have been doing so in 10 of the 13 community health centers and in the Native Hawaiian Health systems since the year 2000. These clinics include: Waianae Coast Comprehensive Center, Waimanalo Health Center, Bay Clinic, Ho'ola Lahui-Kauai Community Health Center, Molokai Community Health Center, Hana Community Health Center, West Hawaii Community Health Center, Kalihi Palama Community Health Center, Kokua Kalihi Valley, and Na Pu'uwai Native Hawaiian Health Care System.

"It's time to pass this much needed legislation and get necessary care out to the thousands of primary care patients who have problems that, if left untreated, will result in unnecessary impairment, suffering, and devastation."

Representative Carroll also submitted the following letter to the editor:

"We must take exception to the letter claiming that passage of a measure to provide prescriptive privileges to psychologists would make mentally ill people second class citizens. This is just one more piece of sensationalist misinformation. Here are the facts about the bills we support that would expand what properly trained psychologists can do:

ONLY psychologists who have completed a rigorous multi-year post-doctoral training program in psychopharmacology would be eligible for the expanded privileges. That means they will have an educational background comparable to other primary care providers who can prescribe these medications.

ONLY a limited range of prescription medications will be on the psychologists' formulary. That means they'll be limited to prescribing drugs for people with anxiety and depression. They will NOT be prescribing drugs for people with schizophrenia, bi-polar conditions, or other problems that should be properly managed by a psychiatrist.

ONLY the appropriately-trained psychologist who practice at COMMUNITY HEALTH CENTERS will have these privileges and ONLY when they are working as a part of team with physicians. This means that psychology prescriptive practice will be limited to places where there are considerable unmet needs, where quality improvement and evaluation processes are in place, and where systems and practices are established to meet the

particular needs of people with neglected health problems complicated by economic, educational, and cultural barriers to care elsewhere.

As Richard Bettini, CEO of the Waianae Coast Comprehensive Health Center, noted in recent testimony, "Prescriptive authority for psychologists is what most community health centers want. Give us some credit. We're the people who care most about what's best for our clients and know what works."

Paul Strauss,
Executive Director of Waikiki Health Center and Board Chair

Beth Giesting, CEO Hawaii Primary Care Association of the Hawaii Primary Care Association"

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm voting no on this measure, CCR 31. Just quick comments. The only reason why I'm voting no is because I'm unsure whether or not we meet all the LRB recommendations and the DOD requirements, and I'm wondering if all those things were met. From what I understand, the DOD requirements are quite expensive and we're still not sure if that meets that. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"On Conf. Com. Rep. No. 31, I'll be voting no, and I have some remarks I want to insert in the Journal. I'm not on the Health Committee, but it seems to me, I've heard a lot about this. I wasn't aware that actually only two states in the United States have passed a law similar to this. During the 2007 Session alone, legislators in California, Georgia, Illinois, Mississippi, Montana and Tennessee have all rejected similar legislation. It doesn't look like this is an issue that's been embraced in a large way across the country.

"With the huge difference in training, and the fact that psychologists have no medical training whatsoever, I think the 660 hours are just a 'smidgen' of the ten-year training that psychiatrists have had. So, I would caution my colleagues here to move very cautiously on this. This is not something that has been universally accepted and it definitely could create problems for the very people that you think you're going to help. Thank you."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in opposition on CCR 31, which allows psychologists practicing at federally qualified health centers to prescribe certain types of psychotropic medication.

"This bill may cause more harm than good. Even the Board of Psychology sent in testimony in opposition to this bill. The Board of Psychology stated this bill is not as stringent as the formulary that was used by the Department of Defense PDP program. All Board members agreed that the training model in the bill was not sufficient for psychologists to prescribe psychotropic drugs.

"The lack of training this bill requires for a psychologist to prescribe psychotropic medication is inadequate. Currently, a psychiatrist must perform forty-eight months of didactic training and forty-eight months of clinical training for a total of ninety-six months before they are allowed to prescribe psychotropic medication.

"In this bill, it would only take a psychologist four months to complete the required 660 hours of classroom instruction and only a little over one month to complete the 400 hours of clinical training. This bill would allow a psychologist to prescribe psychotropic medication in less than six months of full-time training, while it takes a psychiatrist eight years to complete his or her training.

"Instead of helping the mentally ill on Hawaii, this bill will give second-class services to a portion of our population that need the best care available. We are avoiding the question of why we are losing more psychiatrists in Hawaii and substituting a practice that may put our vulnerable population at a greater risk. Thank you."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just very brief comments in support. We've talked at length about this on numerous occasions. I would only say that I would reassure the Members that we have strengthened language further in the last reiteration of the bill. So, for those of you who've had reservations and been up on the bill, it is tighter; it is stronger.

"I know we have philosophical differences of opinions about this. I won't go into them because it's a long day and we have a much longer day ahead, but I do believe this will be a safe bill. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support of CCR 31, SB 1004, SD2, HD2, CD1. This bill will allow qualified, licensed psychologists practicing at federally qualified health centers to prescribe certain types of psychotropic medication. Community Health Centers, like one on the Waianae Coast, are at a distinct disadvantage in recruiting mental health professionals – financial resources are limited – yet, the needs are great. Clinicians, including our psychologists, are required to perform a broad range of services. Because of the limited funding sources, the existing positions for psychiatrists are also limited. Available psychiatric positions may be provided at a part-time basis only.

"Psychiatrists are not in favor of going out to these rural communities. In order for a psychiatrist position to be feasible, psychiatrists need to spend most of their time in the urban centers where they are able to generate more revenue. This is understandable and I find no fault in psychiatrists. However, we need to support patients and those who work in the rural communities – our psychologists. As I understand, the bone of contention is an educational component that has since been adequately addressed so patients can be serviced safely. Mr. Speaker, active steps must be taken to address our mentally ill. This bill will assist in addressing this concern. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1004, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Final Reading by a vote of 27 ayes to 20 noes, with Representatives Chang, Ching, Evans, Finnegan, Har, Ito, Lee, Magaoay, Manahan, Marumoto, Meyer, Pine, Sonson, Souki, Thielen, Tsuji, Wakai, Ward, Yamane and Yamashita voting no, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

At 4:23 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:24 o'clock p.m.

Conf. Com. Rep. No. 32 and S.B. No. 1400, SD 2, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1400, SD 2, HD 3, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker I am in support of this measure. The purpose of this bill is to protect elderly consumers in our communities by requiring financial institutions to report suspected financial abuse. As a member of the Kupuna Caucus and a duly appointed Conferee, I believe I must stand to give our *kupuna* a voice in this body.

"Our elders have given so much to us. They have paved the way to many of the freedoms we enjoy today and provided us with loving homes. They protected us when we are young, and now we are in a position to protect them.

"The National Center on Elder Abuse has stated that according to the best available estimates, between 1 and 2 million Americans age 65 or older have been injured, exploited, or otherwise mistreated by someone on whom they depended for care or protection. The Center estimates that only one in twenty five of cases of financial abuse get reported, and that there could be as many as an estimated 5 million incidents of financial abuse against the elderly.

"Mr. Speaker this is a scary thought that people would prey on some of our most vulnerable. It is even scarier to think of how many of these incidents go unreported. Mr. Speaker it is for this very reason we need this bill. When a financial institution suspects that there may be some type of financial abuse, they can call in the Department of Human Services to initiate an investigation.

"Financial institutions may be the first to become aware of financial abuse directed at our elderly. They witness the elder engaging in banking activity that is unusual or is deviating from the norm. Without this law it is too easy for them to turn away for fear of getting involved or become insecure if their perspective suggests abuse.

"This bill sends a strong message to the citizens of Hawaii that financial exploitation of elder dependant adults will no longer be tolerated, and that our *kupuna*, our elders, should be held in high esteem, honored, and protected instead of victimized.

"Mr. Speaker for these reasons, I am in support of this measure, Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1400, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE," passed Final Reading by a vote of 47 ayes, and with Representatives Cabanilla, Karamatsu, Nakasone and Saiki being excused.

At 4:28 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 188, SD 2, HD 1, CD 1
S.B. No. 46, SD 1, HD 1, CD 1
S.B. No. 1943, SD 2, HD 2, CD 1
S.B. No. 56, SD 1, HD 1, CD 1
S.B. No. 1665, HD 1, CD 1
S.B. No. 1833, SD 1, HD 1, CD 1
S.B. No. 1004, SD 2, HD 2, CD 1
S.B. No. 1400, SD 2, HD 3, CD 1

Conf. Com. Rep. No. 34 and S.B. No. 228, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, and the report of the Committee was adopted and S.B. No. 228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

Conf. Com. Rep. No. 35 and S.B. No. 1603, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1603, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Tokioka rose to speak in support of the measure, stating:

"I rise in strong support. Thank you. I want to thank everyone for the time given on this issue, and I know each Committee worked very, very hard on this. I just wanted to highlight a couple of things Mr. Speaker, on Act 190 and what it does. I won't take too long.

"Act 190 has given the counties and agencies for the past ten years liability protection from signs posted on county beaches. This bill makes it permanent. This will certainly assist the counties in claims for accidents which may occur on county beaches. An example, on the Island of Kauai was a sign was posted in an area, and a gentleman went down to swim in this area. The sign says, 'Don't dive into the beach. It's a very dangerous condition.' He dived in. This happened seven years ago. The County is still dealing with this liability issue, so, I'm certain that this will help in that area.

"Another thing that this bill addresses, Mr. Speaker, is an indemnification for the counties and I can give you an example. On Kauai, we have a convention hall that the Department of Education uses for children, whether it's listening to Frank DeLima or for plays that the Department of Education puts on. When the County hosts these functions for the Department of Education, which is a State function, the county is held liable. But if the same thing happened in reverse, where the State were to use a county facility, it's different. The liability is not there.

"So, I really want to thank everyone for working on this particular bill because it means a lot to the counties, and I know the counties are very appreciative. What the counties could have done was the counties would not have allowed the State, the Department of Education to use those facilities, but to my knowledge, they have never done that, and they've wanted to make sure that the best things happen for the people in the community. So, thank you for that.

"The bill also extends the sunset date for Acts 82 and 170, and provides for a taskforce to work on a possible repeal or amendment in 2010.

"In closing, Mr. Speaker, I want to thank the Senate President, the Senators from Kauai, Kalapana, Hilo, and both Senators from Kaneohe. I also want to thank the entire House leadership for stepping up to the plate on this bill and, especially, the Chairs of Judiciary, and Water, Land, and Hawaiian Affairs for taking the Committees to Kauai to listen to the issue. As everyone should know in here, Kauai has the most liability claims for drowning in the entire State. And if I'm not mistaken, the entire country, Mr. Speaker. Thank you very much, Members, for allowing me the time and, Mr. Speaker, thank you very much."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm in support, but I do have reservations. Thank you, Mr. Speaker. This is a very good bill just like the previous Representative has said. The question that I have or the part that I have reservations on is that throughout the Session, my understanding is that this bill did go through the Session without the part about extending the statute of limitations for actions against the county for damage or injury from six months to two years. I believe that there was a bill that was introduced to do that, that was never heard. This part of the bill was added in Conference Committee. I'm not sure that if it passes, whether or not this particular provision had public testimony on it or not.

"It does contain the language or similar language that I believe the Governor had vetoed in the past. When you're doing something like this, I can see why the language was put in there. Maybe it's kind of like a balancing effect, having or extending the six months to two years. However, we should not be considering that so late in the game in Conference. So, my reservations, because the bill is a very good bill and helps counties as well as the County of Kauai, I stand with reservations on that particular part."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Tokioka be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

Conf. Com. Rep. No. 36 and S.B. No. 162, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 162, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"On Conference Committee Report No. 36, I rise in support and have always been in support and will remain in support, except I have a very puzzling question I want to ask. This bill changes the Friends of Iolani Palace, to be called the State of Hawaii Museum of Monarchy History. My question, Mr. Speaker, to either the Chair or the originator of the bill is: do they become a part of the government now because we call them State of Hawaii? Do they become something different than the 501C-3? What actually in the last change in the Conference Committee is being done and we are asked to vote on today? Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 162, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

Conf. Com. Rep. No. 38 and S.B. No. 138, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 138, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker I am in favor of this measure. This bill will help to ensure that one of Hawaii's most beloved natural treasures, Diamond Head, is preserved and cared for. The bill mandates that 55 percent of the admission fees charged will be used to cover repair and maintenance and operations at the national monument.

"As a historical footnote, the Diamond Head monument was established right after Statehood, in 1962, to protect the slopes of the crater, as well as the view planes. Since that time, millions of people have visited the crater. Last year alone, 600,000 people made the hike to the summit with almost 90 percent of those listed as visitors, according to the Hawaii Tourism Authority.

"Thus, with all that traffic, it's important to make sure that the monument is properly maintained. This bill sets aside necessary funds to ensure those important tasks are completed so we can enjoy our treasure forever.

"This bill is a good bill. I thank Senator Sam Slom for introducing it, albeit in a different form, and I urge all my colleagues to vote yes."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 138, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

Conf. Com. Rep. No. 41 and S.B. No. 1191, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1191, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure with reservations, stating:

"In support with reservations. I've always been a supporter of pedestrian safety and it really is very sad that we've had such a large number of pedestrian accidents this year. I'm sad to see that we couldn't recognize the value of the red light part of this bill, and I think it would have saved a lot of lives in the long run. I'm hoping that in the future, we will be able to pass that bill because I think it would play a large part in improving pedestrian safety and saving lives. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with the same support and reservation. I also have remorse that the red light cameras did not get put into this and perhaps the next time around, and even a second remorse is that driving while talking on a cell phone probably is another one of the causes of a lot of our difficulties.

"Every year there's 30 to 40, almost 50,000 people killed on our highways, not to count all the pedestrians that are being maimed and injured. I think it's time that we do something. It's unfortunate that we've chosen not to do this more comprehensively, but I think, if the time is right, then in the future I'm sure it will be brought back up. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Yes, thank you, Mr. Speaker. I'm speaking for the bill. However, I would like say that in order to strengthen the future of pedestrian safety, I would hope that the Representative from Kailua, who speaks of the 'van cam', or the 'son of van cam' would also support the cameras. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1191, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

Conf. Com. Rep. No. 43 and S.B. No. 1066, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1066, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. Allow me to say upfront that Hawaii has been always undergoing a continuous war against invasive species On one hand, alien flora, such as the miconia, have placed our precious watersheds and native ecosystems in danger, jeopardizing the freshwater supplies while pushing endemic species to really the brink of extinction. Similarly, alien fauna, such as the coqui, dengue, and its carriers, threaten to undermine our health, our tourism industry, and really our quality of life. Estimates by one State biologist alone have shown that these pests have cost residents and the ag industry upwards of $400 million annually. And the problem is getting only worse.

"A variety of DOA risk assessments have shown that many more pests are entering the State than existing resources can really address. DLNR itself cites that, a lack of adequate sustainable funding is the single greatest problem that the State, federal, and private agencies face in their fight to protect Hawaii from harmful invasive species. This measure seeks to address these glaring deficiencies by imposing a nominal $1 fee on maritime commercial shipment containers, 20-foot shipment containers. This is really a miniscule drop in the bucket, Mr. Speaker, when you compare it to the actual freight cost that transportation companies impose.

"It is the intent of this measure to collect the fee from the importer of the shipment and deposit it into the Pest Inspection Quarantine and Eradication Fund. The revenue generated by these fees would then be used to fund the operation of the much-needed inspection and monitoring programs and facilities at major ports of entries, along with the execution of emergency remedial measures when invasive species are detected.

"Let me say, Mr. Speaker, some have argued that this bill would increase the overall cost of goods and services that are brought into our State, resulting in higher retail prices that would be pushed onto our residents. In looking at the bigger picture, however, I would argue that, 'an ounce of prevention is really worth a pound of cure'. Consider this: Instead of enacting a series of piecemeal legislation year after year to combat those pests that slip through the cracks, costing taxpayer millions of dollars, Session after Session, biennium after biennium, I ask this question: Why not establish a front-end approach to prevent the introduction and spread of these pathogens in the first place? These fees would not, as some have criticized, fund some obscure concept not with substantive plan of attack, but rather, would go towards funding DOA's comprehensive Biosecurity Plan, which is poised to begin Phase II of a multi-tiered strategy to combat the introduction and spread of alien species."

Representative Magaoay rose to yield his time, and the Chair, "so ordered."

Representative Tsuji continued, stating:

"Thank you. Accordingly, we as lawmakers are obligated to take a firm stand against invasive species in order to safeguard our precious ecosystem and way of life for generations to come. S.B. No. 1066 places this responsibility firmly on the shoulders of everyone in our State, since only in standing together can we expect to turn the tide against our war on invasive species. With this in mind, I strongly ask you, Mr. Speaker, and fellow Members to stand behind me and support this bill. Mahalo."

Representative Meyer rose to speak in opposition to the measure, stating:

"I'm rising in opposition to this measure. Whatever the shipping people are charging us now, with the passage of this bill, they will be charging us more. That's just guaranteed. So, the way businesses work, when their costs go up, they pass it on to the consumers.

"And we're creating a new special fund, which we have hundreds of already. We have had money for this before from federal funds. This new special fund, federal funds, can go into it, State funds. This is an important measure. We do have to be ever diligent about alien species and we have had some success in the past. As we see it being a larger problem, we should fund it out of the general fund. It should be a line item in the Department of Ag. Nobody has to keep introducing special bills. If it's in there, we know that this is a problem that we have to stay on. That would be the most reasonable way to fund an important kind of program like this. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. I'll make my comment short. Basically, it has to do with the fact that the bill is flawed, and I'm just disappointed that the Senate did not consider correcting it so that we could, if this is the way that we want to do it, that we could actually start doing something about it now. The Representative from the Big Island that spoke a couple of times before this did basically express the importance, and that's why I think that this should have been corrected. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1066, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

Conf. Com. Rep. No. 45 and S.B. No. 12, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 12, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE RATE REGULATION," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Karamatsu and Nakasone being excused.

At 4:45 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:45 o'clock p.m.

At 4:45 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 228, SD 1, HD 1, CD 1
S.B. No. 1603, SD 2, HD 2, CD 1
S.B. No. 162, SD 1, HD 2, CD 1
S.B. No. 138, SD 1, HD 1, CD 1
S.B. No. 1191, SD 2, HD 2, CD 1
S.B. No. 1066, SD 2, HD 2, CD 1
S.B. No. 12, SD 2, HD 2, CD 1

Conf. Com. Rep. No. 49 and S.B. No. 837, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 837, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of Senate Bill 837. In recent years we have seen lands once designated as agricultural, reclassified as urban, particularly on the Leeward Coast. Thousands of homes have been constructed resulting in an increase in traffic and undoubtedly impacting our quality of life. This bill will allow lands on the Leeward Coast to remain agricultural.

"It has been noted that these lands are recognized as being amongst the most agriculturally productive lands in our State. We must ensure that our lands in the Kunia and Ewa districts remain classified as agricultural to support and promote the growth of diversified agriculture in our State, and to preserve the open lands that remain on the Leeward Coast. Allowing Agribusiness Development Corporation to purchase these lands will help us to accomplish these goals. For these reasons, I stand in strong support of Senate Bill 837, S.D. 2, H.D. 2, C.D. 1. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm voting yes on this, but I'm somewhat confused because with some of the accounts we've read in the newspaper, I was under the impression that Monsanto has already purchased this land in Kunia. And the Ewa property, I think, has also been purchased. So I don't think the bill talks about condemning. That's my confusion. Thank you very much."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, this measure allows the Agribusiness Development Corporation to purchase lands in the Kunia and Ewa areas on Oahu, and allows them to lease these lands for up to 55 years, thereby protecting important and productive agricultural lands.

"Mr. Speaker, there is a demand for urbanization in Central Oahu. New subdivisions and homes are slowly becoming the main feature of this area. With the former Campbell Estate selling it's lands in the Kunia and Ewa areas on Oahu, it is vital that the State protect these lands which are considered some of the most fertile and productive agricultural lands in the State. If these lands are sold to separate and unrelated purchasers who are not interested in preserving them for agricultural use, the likelihood of these lands being used for agriculture become doubtful and could be lost forever.

Mr. Speaker, protecting agricultural lands is fundamental to Hawaii's future. Agriculture and its value-added products contribute over $2 billion to the State's economy and employ over 38,000 people. More than that Mr. Speaker, the agricultural industry is important to our way of life. Our residents appreciate the fresh, local fruits and vegetables that are available in our markets. With top award winning chefs and restaurants utilizing fresh, local ingredients in their dishes they expose our tourists to numerous other island produce rather than just the stereotypical pineapple and sugarcane that they have come to associate with Hawaii. Locally grown produce also improves our food security, decreases our dependence on imported produce and ensures the availability of certain items should there be a natural disaster or problems with transportation on the mainland.

"For these reasons Mr. Speaker, I support this measure."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, I am in support of Senate Bill 837 S.D. 2, H.D. 2, CD 1.

"Mr. Speaker, most of us know that the Kunia lands on Oahu are probably the most fertile and productive agricultural land in the State. If there are any lands necessary to support a sustainable agricultural industry, these lands would fit this category. The purpose of this bill is to preserve agricultural lands by authorizing the Agribusiness Development Corporation to purchase, via general funds or revenue bonds for the sole purpose of using this valuable agricultural land for agricultural use in the foreseeable future.

"Mr. Speaker, this bill addresses the concern on the future of our agricultural lands in central Oahu that are generally recognized as being among the most productive lands in the State. We are aware that the 8,000 acres of former Campbell Estate land in large parcels along Kunia Road have or are being sold. One pending sale may result in a 1,700 acre subdivision with 300, five-acre agriculture lots. If these lands are sold to separate and unrelated purchasers who are not interested in establishing agricultural production, the likelihood of their use in agriculture becomes doubtful and could be lost forever.

"Mr. Speaker, the State needs to ascertain whether it is in the best interest of the public as articulated in the Hawaii State Constitution in Article XI, Section 3 and in the State Land Use Law found in Chapter 205, that certain agricultural lands with associated agricultural support infrastructure that are currently or anticipated to be offered for sale should be purchased by the State in fee or have developed rights extinguishing by purchase of agricultural conservation easements.

"Mr. Speaker Senate Bill 837 provides for the purchase of agricultural lands in fee or through purchase of agricultural conservation easements whereby the landowner retains title to the property but is restricted as to the use of the property for the duration of the easement. The source funds will be from an appropriation from the general fund and issuance of revenue bonds.

"Thank you Mr. Speaker and I urge my colleagues to pass this measure."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I am in support. I created this bill to protect Hawaii's most valuable agricultural lands. It appropriates $9,200,000 and authorizes the Agribusiness Development Corporation to purchase agricultural land in Kunia and Ewa from private entities. In addition, it enables the Agribusiness Development Corporation to lease agricultural lands in Kunia and Ewa for up to 55 years to farmers. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 837, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 59 and H.B. No. 1608, SD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1608, SD 3, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of this measure, Mr. Speaker, HB 1608.

"A major aspect of this measure is that it will empower the Governor, county Mayor or the Director of Transportation to designate an area to be a traffic emergency zone as an alternative route during times of emergencies.

"Members, we have knowledge of our major thoroughfares closed due to accidents or road blocks caused by floods, erosion or other safety concerns, where commuters were caught in a standstill with no recourse, but to wait until the traffic is cleared. In situations like these, our government officials seem helpless in view of the present restrictions that prohibit or bar them from taking immediate action to address the current problem, which is counter productive of being an effective government official.

"I believe, Mr. Speaker, that this measure will do away with bureaucratic red tape that usually causes delay in taking immediate action during emergency situations, to ensure and protect the health and safety of our drivers during traffic emergencies, while seeing a safe access for our commuters.

"For this, Mr. Speaker, I support this measure."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support of CCR 59, HB 1608, SD3, CD1. This measure establishes traffic emergency zones that will aid in quicker access to areas affected by road closures. This bill allows both State and county leaders with the tools needed to act when public health and safety is being jeopardized by accidents, or natural disasters.

"This is a good bill because it reaches specific emergency hurdles and limits any exemptions, procedural leniency, and indemnification of liability to areas designated as a Traffic Emergency Zone. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1608, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 62 and H.B. No. 487, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 487, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm standing with reservations to Conf. Com. Rep. No. 62. Thank you, Mr. Speaker, I didn't think that this was going to be anything that I would rise up on, but my reservations on this bill have to do with the fact that it was explained to be making technical amendments.

"One of the recommendations by LRB states, and I'm reading this from the State of Hawaii, Department of Human Services, HPHA, the Hawaii Public Housing Authority. It says, 'We have concerns about Section 35a which states that the Authority shall construct, develop, and administer property or housing for the purpose of State low income public housing projects and programs.' And on the surface it sounds like something that we would like to do. We would like for the Authority to be able to or force the authority, mandate by using the 'shall' language.

"However, we've seen examples of how the federal government is actually moving in an opposite direction where they're saying to not have a government build and develop and administer, but, instead, turning it around and having nonprofits take over and they find it's much more successful that way. So by accepting this language which is supposed to be technical in nature, that it actually starts us going in the opposite direction of where the federal guidelines are telling us to go or guiding us to go

"For instance, one of the examples that I can share is, like in our district, they're doing that with military housing. Actually, that's not a nonprofit, but it is a for profit. But they just feel that these things in regard to building, renovating, and managing, that they do a better job. Mr. Speaker, another example is the Palolo Valley homes. Only positive results have come from that particular situation. And it's basically saying that the tenants are going to be more a part of decision making, and that's what happened in that case.

"So, I have reservations in regards to, maybe it's overlooking that particular section, but I would strongly recommend that since we are going to leave it in for this Session, that we turn around and go into a different direction next year. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 487, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROGRAMS," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 63 and H.B. No. 692, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 692, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I am in strong support of extending the lapse date of special purpose revenue bonds issued to assist Aloun Farms to June 30, 2010. This company has played a huge role in Hawaii's agricultural industry and sustainability. Aloun Farms plan to use the special purpose revenue bonds to build an agricultural processing plant in the future to strengthen its operations. However, not too long ago, the company's landowner sold the land to a developer that plans to build homes on its land once the lease expires. With the uncertainty of where Aloun Farms will be located in the future, an extension of the special purpose revenue bonds would be very helpful for this important Hawaii agricultural company. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 692, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 66 and H.B. No. 1830, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1830, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, Members, the right to life is a fundamental right. So important is this right that it's guaranteed by both our State Constitution, in Article I, Section 5, and the United States Constitution, in our Fourteenth Amendment. Mr. Speaker, we have a golden opportunity today to protect our newborn babies. So far, 47 states have already enacted safe-surrender laws to save newborn babies. We can be the forty-eighth state, Mr. Speaker.

"These babies who are just born are helpless. In fact, so compelling is the testimony that we heard from our paramedics at the hearings, not only in the House side, but they went to the hearings on the Senate side. One paramedic explained how she helped deliver 10 babies herself. Very compelling was her testimony about a 12-year-old who didn't know what to do, and the baby was near death, badly dehydrated, pale. We don't want this to happen. With this measure, we believe we can save newborn babies, Mr. Speaker.

"If you think about the concept of this measure, this is really saving the lives of two people. First, of the newborn baby, and also of that mother. What happens, Mr. Speaker, is if the mother is caught abandoning her baby and that baby dies, most likely she'll be charged with murder. At the least, manslaughter. If that case goes on and she is prosecuted for murdering her newborn baby, she'll probably get a sentence of 25 years to life. This will cost the State approximately $1 million to house that person at a correctional facility."

Representative Meyer rose, stating:

"Mr. Speaker, is he speaking on this bill?"

The Chair responded, stating:

"Yes, the safe haven bill."

Representative Meyer: "With talk about murdering, and I just was confused."

Speaker Say: "Please proceed, Representative Mizuno."

Representative Mizuno continued, stating:

"Thank you, Mr. Speaker. To address some of the concerns, yes, if a mother does leave, and abandons her baby, she can be charged with murder. So, I take this very seriously, and that's why this measure is so important. Again, 47 states have already passed it. It's time for us to pass this.

"I have another major concern, Mr. Speaker. We've got approximately 9,000 unintended pregnancies in our State every year. When we look at our target group, and when I say target group, I'm talking about our youth, ages 12 to 19. The reason why we call them our target group is because this would be the group that will be most likely to abandon their newborn baby. They have approximately 1,500 unintended pregnancies a year. This represents a whopping 78%. That's eight out of every ten pregnancies. Many times they would not know what to do, Mr. Speaker. And this will give them a chance, an option, to take the newborn baby somewhere, instead of placing that baby in a shallow grave or dumpster.

"I also wanted to state that statistics indicate that 57 babies everyday are abandoned. This comes out to approximately 20,000 babies abandoned every year. And this I got from our House Concurrent Resolution 344, which we passed on April 4th by our outstanding colleague of mine, the Representative from Liliha. I completely supported that Resolution and I stand here today still supporting that because that was a prelude to this bill that gives us hard core facts here. The point is it's nationwide, but it is also happening in Hawaii. It's not in California only, or New York or some other place. This happens in Hawaii, because we have testimony from our paramedics.

"Someone also wrote me, a director from one of our youth agencies, who, I think it's better I not say her name, but she wrote and I quote, 'As a case worker, I worked on cases where newborns were found in the dumpster and a bathroom, one discarded from an immigrant, the other from an adolescent.' So, to say that this doesn't happen in Hawaii, well, that's just not true. It happens in Hawaii, too."

Representative M. Oshiro rose to yield his time, and the Chair, "so ordered."

Representative Mizuno continued, stating:

"Thank you. Members, today we will hear that this measure is relating to adoption, lineage, and heritage. All those issues are very important, no doubt, but keep in mind that that newborn is murdered, is buried, then heritage, lineage, adoption, that's all moot. That's moot because they don't ever have a chance to know about heritage. They won't be able to have an education. They won't be able to play any games because they're dead. That's why we have to stand up and pass this measure and become the 48th state.

"Back in March, and I'm sure the count has gone up, we've had a count of 1,160 newborns that have been received in safe havens, and I've mentioned this before, but it still stands true today. These babies, some of them with developmental disabilities, down syndrome, fetal alcohol syndrome, autism, mental retardation, some of these babies are even HIV positive, they've all been adopted. All of them.

"Mr. Speaker, we have worked feverishly with the Senate to come up with a draft to address the concerns by the Governor, and our Conferees surely feel that we did that and I commend both the House Conferees and the Senate Conferees. They did a great job. I feel this is an air-tight bill. For those foregoing reasons, we should support this measure. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. First of all, I wanted to commend my colleague from Kalihi because it just goes to show it's nice when you can have a cordial relationship and just agree to disagree and I have utmost respect for my colleague from Kalihi. I also wanted to express my appreciation for the passing of the Resolution on Project Cuddle which attempts to look at this issue from a different standpoint, from the standpoint of education.

"What I wanted to clarify is just a couple of things. First of all, when I think about this bill and I'm asking my colleagues here in the House to really get to the crux of the bill. Who are we saving here? What does this bill do? What this bill does is it basically gives a level of immunity to the person, the woman. Sometimes, who knows, it could be a gentleman, who abandons a baby. So, the question becomes are we saving those who abandoned babies? Are we saving those who are abandoned? I hope everybody will keep that in mind, because when that 12-year-old that was referenced gave birth to a baby, I'm questioning whether that 12-year-old would have known or ever know the next 12-year-old, that we passed this bill. It is an emergency situation, which our good EMS people took care of. In fact, we need to ask, who called the EMS, right? And they just appeared there, right?

"And, also, a third point is babies abandoned, 57,000, etc. Let's be clear. That's in the nation. The two of the three holdouts on this are the states of ourselves and Alaska, and I would say that if you've

been to Alaska, and I've been to Alaska, Alaska and Hawaii have actually, if you would to take out the climate, they have a lot of things in common. And what it is, is it's in part, culture. They have the good sense not to pass this.

"I wanted to clarify another thing. LRB's report that concluded that 47 states have similar legislation is not completely correct. Because that's noted in the text of LRB report, 16 states do not give immunity from prosecution. Rather there are laws that provide affirmative defense, which does not preclude arrest or trial for child abandonment. In these cases where there's affirmative defense, there is still the possibility the abandoner can be identified so that the state can determine if they need support services. If they've done it before, they are chronic abandoner due to mental illness. The abandoner can be identified so that the state can ensure that the abandoner is on the DHS abuse and neglect registry so that the abandoner cannot become an adoptive or foster parent, and the father of the baby may be identified and/or the family may be identified.

"And as noted in DHS' testimony, one of our concerns is that women who would otherwise go through adoption, those are the ones that would probably use the law. Adoption Institute and other child welfare organizations and policy experts question the effectiveness of safe haven laws. Whether women who would unsafely abandon newborns are the ones that are leaving infants at designated safe havens. Specific concerns as reported in the National Conference of State Legislatures report as follows: that the National Abandoned Infants Assistance Resource Center sincerely doubts, 'whether the people who actually use safe havens are the group it's targeted at,' and, 'noting that these laws have a lot of pitfalls and do not even try to address the root causes of the problem.'

"The National Conference of State Legislatures questions, 'whether the mother would have tried to go through an adoption agency to legally relinquish the baby or if this is a person who would have left the baby by the roadside.' Howard Davidson, Director of the American Bar Association, Center on Children and the Law, advises, if we're to effectively face the newborn abandonment problem, rushing to pass 'Baby Moses' or safe haven laws or creating new baskets for baby drop off locations do not provide the answer. The Child Welfare League of America has reservations and questions whether the at-risk population …"

Representative Meyer rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating:

"Thank you. Thank you, Representative. Child Welfare League of America has reservations on whether the at-risk population uses safe havens or whether they're being utilized instead by the expectant mothers who may have made an adoption plan or raised their children themselves.

"What they're talking about is the people who are trying to help, who are in a panicked frame of mind, are they the ones who are going to use this? Or those that would naturally go to give their child or ask *tutu* or their moms to raise the child. The Family Research Council states that safe haven laws' chances for efficacy are doubtful. Neonaticide experts say that because women who kill their infants are typically confused and panicked, it seems somewhat unlikely that safe havens would be a viable alternative for many young women.

"Furthermore, the Donaldson Adoption Institute cited safe haven laws represent a relatively easy and quick, but superficial answer to the question surrounding unintended concealed pregnancies and the welfare of the resulting newborns. Not only is it unclear that these policies work, but they also address the problem at the last possible opportunity, after birth, instead of prevention and education. Public policy should prevent unintended pregnancies, protect infants at risk of abandonment and assist mothers in making informed decisions that serve both their children's interest and their own. In order for that to happen, new and existing resources must be directed towards the target population, women who deny and conceal their pregnancies.

"House Bill 1830 will not effectively prevent abandonment of infants by mothers in unsafe places. Instead, there must be a plan to incorporate it into a comprehensive strategy for the prevention of infant abandonment and increase efforts to enhance education. That's why Project Cuddle, I think, is a good idea. And services for birth parents, both the young mothers and fathers and women who are at risk of abandoning their infants. The anonymity provided by this bill creates conflicts with biological parents, due process rights, and family court proceedings, and the possible termination of parental rights. This bill also does not take into consideration and address existing statutes related to adoption, maternity, custody and …"

Representative Finnegan rose to yield her time, and the Chair, "so ordered."

Representative Ching continued, stating

"Thank you, Minority Leader. … judicial proceedings associated with child abandonment. It does not contain provisions to ensure that the rights of fathers are not violated and that reliable and accurate medical and family histories are provided by the person dropping the child off.

"The individual who drops off the newborn would not be required to prove he or she is the baby's parent. The abandoned baby would be prevented from ever learning about their medical or genealogical history and this could jeopardize the child's health and make it exceedingly difficult for extended families, even the child's father, to learn of the baby's whereabouts and assert their interest. I will remind you like I've said numerous times on the Floor, there have been incidences where the father did not know about it, and therefore, when they find out, it's just too late.

"I appreciate the revisions. I understand there was some attempts at revisions, but now the attempt, I appreciate the attempt of revisions, but it doesn't look like it's really acceptable. We've gone back to the previous draft.

"The Legislature was informed that there are over 9,000 unplanned pregnancies in Hawaii per year. I'll cut this short because I know that I've said a lot of this before. What I want to say in sum is that a number of states are re-looking at this solution to this problem. And it is ironic that Hawaii, of all places, that doesn't even have a problem, would actually pass a bill that would create problems. There are a number of problems with this, and what I'm asking my colleagues to do is to remember that we want to save the life of a child. We also want, as soon as that child is born, to have a good life. This bill jeopardizes definitely the second half and it's questionable whether it does anything for the first half."

Representative Ward rose to speak in support of the measure, stating:

"I rise in support of the measure. Mr. Speaker, I tend to agree to disagree with my colleague and believe it or not, the Representative from Kalihi and from Liliha and Hawaii Kai have become much closer because of this bill because it really put us together to really speak to where our hearts are on this particular measure. Having said that, I'm going to repeat a few things and sit down.

"The bill is about life, it's about saving a life, and, Mr. Speaker, if someone before this Session came up to you and said if you could vote one vote before you go to bed tonight, before you leave this Floor, and it could save one life in the next 12 months, would you vote yes on that bill?

"Mr. Speaker, that's what I see is before us today. A chance to even just save one life. Forty seven states have done it. Maybe 47 kids have been saved. What is at risk is that it is much greater to be gained than to be lost. To me it's that simple. And, Mr. Speaker, as

much as I'm going to object later on about overriding the Governor's veto, this is one I hope you would have passed earlier, so, when tonight we're going to do that, we could have done it. Because I think it deserves that. Let's save one life. Let's vote for this bill. Thank you, Mr. Speaker."

Representative Mizuno rose to respond, stating:

"Thank you, Mr. Speaker. Still in support. Mr. Speaker, I think the Representative from Liliha, she made some outstanding points and we did address many of her concerns. In fact, in the bill on page 7, it states that every reasonable effort will be made to get the following information: the name of the newborn child, the name and address of the parent or person dropping off the newborn child, the location of where the newborn child was born, information pertaining to the newborn child's medical history, the newborn child's biological family medical history, including major illnesses and diseases, and any other information that might reasonably assist the Department in determining the best interest of the newborn child, including whether the parents plan on returning to seek custody of the child in the future.

"In addition, to address the speaker from Liliha's concern about the father, that was a concern. We made sure in this measure that it would not preclude the father's rights in coming back to get his child. In fact, we have a clause in there, I think it's the second to the last page, it could be on page 11, that talks about the rights to reunite with the parents, or, of course, the father. So, that has been addressed.

"Furthermore, regarding the abandonment issue, it's a very small window. The baby is a newborn baby within 72 hours. That's three days, Mr. Speaker. The truth be told, when you look at the 47 different states, some of them will allow as long as 30 days. There's another state that had, I think, 60 days. Hawaii drew this very narrowly. We allowed only a window opportunity to drop off that newborn baby of 72 hours after birth. So, to see this as being a major abandonment or adoption issue, I just don't see it. Again, the window is very, very small, a small time, 72 hours, three days is all.

"We know that sometimes there is going to be emergency situations and parents or the parent may just lack clarity, and we are going to allow them a chance to have an option instead of putting the baby in an unsafe place, having an option to put that baby in a place where he or she will survive and be fine. And if they have clarity later and they want to come back, nothing in this measure will preclude those parents or parent from coming back.

"Furthermore, Mr. Speaker, Project Cuddle is a very good hotline. I don't see anything wrong with it. And, again, going over some of the statistics, 20,000 babies abandoned a year. It shows you how much of a problem this is nationwide. This is only a hotline. We need something more, and, so, that's why we think having this in law, and having not only the House, but …"

Representative McKelvey rose to yield his time, and the Chair, "so ordered."

Representative Mizuno continued, stating:

"Thank you. Having in fact, again, the paramedics were compelling. How many times have we been in hearings when you see someone from the State agency say, 'Excuse me, we want to be in that measure. Put us in that bill.' We had paramedics that came and everyone knows that was on the Health Committee or whatever committees it went through, Judiciary. They came to our hearings and they said, 'Place us in statute. This happens in Hawaii. We know that firsthand.' So, we've got firsthand knowledge that this happens in Hawaii.

"Second of all, it was unprecedented that we had paramedics that came up and told us, 'We need to be in the statute, don't leave us out. We need to save babies' lives.' That's so compelling.

"Furthermore, Mr. Speaker, when we talk about people being prosecuted, this measure will not allow for complete immunity. In fact, we worked it out in Conference. What happens in a situation if a baby is brought in that's injured, someone should be told. We didn't have that at the beginning, but in Conference we saw that as a glitch that we had to deal with. We ironed it out. If the baby is brought in injured, that person is not going to leave. He or she doesn't get a free pass. They will be prosecuted. So, this is not a drop off place, a drop off bin at all. This is very fair. It's to save lives, and, yet, protect parents that are having a lack of clarity, but yet to prosecute parents that would injure the baby and bring them in that situation, that state.

"Again, for the foregoing reasons, we believe that we addressed a lot of concerns by our speaker from Liliha, as well as what the Governor had stated in her message back on House Bill 133. That was back in 2003. For those reasons, again, I still support this measure and I hope our Members will, too. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure, asked that the remarks of Representative Ward be entered in the Journal as her own, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support of CCR 66, HB 1830, HD2, SD2, CD1. The focal point of this measure, Mr. Speaker is on ensuring an infant survives. The intent of this bill is to ensure the safety of infants who are unwanted and whose natural parents are unready or unwilling to care for them. This provision of a safe haven will enhance the infant's chances for survival and for safe adoption.

"The best interest of the child should have the highest priority over the possible prosecution of a parent who is unable to care for the infant. Mr. Speaker, we are lucky in Hawaii that abandonment is not a common practice. Nonetheless, this bill is a proactive approach at making sure that we save as many newborns in Hawaii. Thank you, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Briefest of comments. In strong support. This year my wife and I had a baby and, so, I've seen firsthand how difficult it can be. Even in a married and happy relationship, I can only imagine how difficult it would be for a young parent and how desperate they might get. So, I supported it on that ground.

"And, additionally, my younger brother, my only brother, actually, was adopted. And I recognize all of the compelling arguments that had been made on both sides of the issue. But he was adopted in the City of Pittsburgh where he was born from a very poor single mother, and I can only imagine what would have happened if she had been desperate enough to abandon him in a different way.

"So, from my standpoint, I feel that we should pass this bill because we should give desperate mothers or desperate young mothers every opportunity to protect their babies."

Representative Souki rose, stating:

"A point of information. I speak in support on this issue. I'm convinced I'm going to be voting for this measure. I don't think we need anymore discourse on this. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1830, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Final Reading by a vote of 48 ayes to 2

noes, with Representatives Ching and Meyer voting no, and with Representative Cabanilla being excused.

At 5:17 o'clock p.m., Representative Karamatsu requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:17 o'clock p.m.

Conf. Com. Rep. No. 68 and H.B. No. 1503, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1503, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to speak on the last bill on the page, Conf. Com. Rep. No. 68. I'm sorry, I know that people are getting a bit weary, but I feel that this is such an important bill. Actually, I am in opposition and I believe that we should not pass this, but if you don't mind me pointing out some features of it. It's House Bill 1503, CD 1 and it deals with a dislocated workers' law.

"This measure requires commercial industrial businesses with 50 or more employees to notify each employee within 60 days of divestiture or closing activities that would result in dislocation of employees. This measure also imposes severe notification and civil penalties for failure to notify those employees of divestiture or closing activities.

"Let me highlight a few points. It penalizes companies who may not be in the financial or legal position to meet these requirements. Divestiture activities do not necessarily shut the business down as in closing activities. Divestiture includes the transfer of the business from one employer to another because of the sale, transfer, merger or bankruptcy or other business takeover or transaction that leads to layoffs or terminations. Notification penalties include up to 60 days of back pay to each affected employee for an amount equal to back pay and benefits. This is minimum, 50 employees.

"There are different types of divestiture or transfer of ownership transactions that may impede conformity to the 60 day requirement. For example, final negotiations as late as hours before a transfer contract is signed may produce worker termination conditions. The selling company may have little or no financial or legal choice to prevent such conditions and may not be in the position to further delay the transfer another 60 days to be in compliance with this measure.

"Current civil penalties for noncompliance notification rules are severe and in addition to new notification penalties. These penalties include three months of wages and benefits to each affected employee for the three months prior to the closing, partial closure, or relocation of the company. This bill will have chilling affects and disrupts ownership interest and operations.

"There are multiple forms of bankruptcy which may require a formal transfer and termination of employees or closing of a company on paper, but do not effectively result in dislocating employees. This measure adds bankruptcy in both the divestiture and closing definitions, but does not specify types of bankruptcies. Premature or unnecessary announcements of bankruptcy will cause confusion and unnecessarily lower employee morale or cause some employees to leave prematurely. Notification, no matter how benign, the intent, may cause a chilling effect that disrupts business, management and operation. The 60-day notice may not be reasonable depending on the unique circumstances or management transaction decisions made by the board of directors in the best interest of the corporation's shareholders or simply to save the company from shutting down.

"This bill leads to an unintended chilling effect and the severe penalties that unnecessarily harm a company's goodwill and financial reputation when it opts for sound financial strategy to undertake activities under bankruptcy, yet, still has a viable going concern. The divestiture notification and bankruptcy provisions likely overstep the board of directors or management's fiduciary responsibility to shareholders. Therefore, I urge my colleagues to vote no. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. This is a very compassionate bill. This ensures that those workers who are working for a company, and the management pursues any action of transfer, merger, sale or of any act that will dislocate them or, lay them off, that they will merely comply with the law, which is to give employees a 60-day notice. All the statements made that this will somehow have a chilling effect on the sale, merger, or transfer of a business are untrue and uncalled for. I think we should read the bill carefully because we provided exemptions for it on page 3, section (c).

"This bill going forward, clarifies it so that if there is some work being done by the employer to save the business by either a sale, transfer, merger or otherwise, that they're exempt from notifying the employees, exempt from the requirement of this law, unless at some point and time such sale, transfer, merger of this company or establishment will result in divestiture.

"Divestiture is defined on page 1, which says it has to result in dislocated worker. So that was really the huge concern of the businesses when it went through the first time to the hearing, and we fixed that in the Conference Committee. We made sure that the businesses who may have other plans, who may try to save their business, either bankruptcy or otherwise, somehow at some point and time, they will have to make a decision. Are we going to be permanently closing the place and will our action result in workers being dislocated? That's the law now, anyway. So, we're merely clarifying it.

"This is a very good bill if you look at real life examples right now on what has happened to the people in Kunia. Over 500 families, all of a sudden, the company just takes off after promising that they're going to be there to take care of them for at least another year. It is an impact on the families, not just the worker, but the workers' families. So, this is a good bill going forward. I don't think it is unfair to businesses. In fact, the language that's in here that allows businesses to take action to save their company is there at the request of businesses. So, please read Section (c) in this bill. It will explain and maybe it will mitigate some of our speakers' concerns."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. In business, as in politics, perception is reality. If the word gets out about this bill as it has in many other instances, gotten out about the business unfriendly environment that we have, that's going to be a chilling and dampening effect on our economy and for the investment that we're trying to do with an innovative economy and all the new bioscience, high tech, robotic things that we're trying to do.

"If this bill was compassionate, a similar bill would not have been vetoed last year. If this bill gives a warning, why would, for example, somebody in a Chapter 11 who is trying to survive it, not want to send chills to bankers, not want to send chills to their employees, frightening them thinking they're going to be leaving, because even the big airline Delta just came out of 19 months of bankruptcy. That is Chapter 11. Is this bill nuanced enough to be subtle enough to settle those business issues? I don't think so, Mr. Speaker, but I think it's going to be perceived as anti-business and we're going to hurt from it. It's not good policy. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1503, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Final Reading by a vote of 44 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Thielen and Ward voting no, and with Representative Cabanilla being excused.

At 5:27 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 837, SD 2, HD 2, CD 1
H.B. No. 1608, SD 3, CD 1
H.B. No. 487, HD 1, SD 1, CD 1
H.B. No. 692, HD 2, SD 1, CD 1
H.B. No. 1830, HD 2, SD 2, CD 1
H.B. No. 1503, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 72 and H.B. No. 895, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 895, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I voted for this in Conference Committee, but somehow I missed the fact that we were raising the fee for highway beautification. We're doubling it from $5 to $10. I wasn't keen on some of these increases. I thought the bill was mostly dealing with towing fees, but it has this increase in beautification.

"The towing fees are increasing by $10. The charge that the towing people will charge you per mile is going up by $1. The storage of your car is going up by $5, from $20 to $25 for the first seven days, and then, thereafter, if it stays there longer, it goes from $15 to $20. So now it's $20.

"There was one thing that it did, which was good, which one of the Conference Chairmen pushed for. The way the bill exists today there was a payment by the owner if they happen to come back when the tow truck was just hooking them up. And if they were hooked up and they said, 'Oh, please, don't take it,' they would charge you $50 to unhook. On this bill, that's being removed to which I concur with. I'm happy about that.

"But I just feel like we're just nickel-and-diming people to death. We've got these special funds. Once we set it up, every couple of years we just raise the fees and I think the people in Hawaii are just being taxed and fee'd to death, so, I've changed my mind and I'm voting no. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I, also, am going to be voting no and I appreciate the Minority Floor Leader bring this bill to my attention. I've always opposed the increase in fees for towing companies. I think that really does a disservice to the people that find themselves unfortunately having a car towed away. That's difficult enough.

"We had to fight very long and hard, Mr. Speaker, as you will recall, to make those companies allow a credit card to be used because they were demanding cash, and at 1:00 in the morning, a person whose car may have been towed would be very unlikely to have over $100, and now, $100 plus, an additional $10 to be able to pay for that tow. So, I also will be voting no, Mr. Speaker."

Representative Sonson rose to speak in support of the measure, stating:

"In support. This bill is somewhat misunderstood in its purpose. I, too, would like to regulate towing companies and the rates that they charge. However, this particular measure is for the counties and when they have contractual relationships with towing companies.

"What was not included in here is regulation of any sort. And we don't have any regulation over private companies that tow people's cars outside of a contract between a towing company and the county. In other words, a person such as myself would park my car somewhere and it's towed. That's not regulated. They could charge me an arm and leg and something else. They can charge me anything they want, and that is really a problem. So the prior speaker was on point on that we should actually also regulate towing when they're towing outside of a contract with the City and County or the counties."

Representative Ward rose to speak in opposition to the measure, stating:

"I'm going to vote no based upon the last sentence of the speaker from Kahaluu; that is, we are taxed and fee'd to death, little by little, and I think this is one of those where you just have to draw the line."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm voting no, as well. And just similar comments in regards to this. It's just a death of a thousand cuts, Mr. Speaker."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 895, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Brower, Finnegan, Meyer, Pine, Thielen and Ward voting no, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 73 and H.B. No. 14, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 74 and H.B. No. 275, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 275, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of H.B. 275, Mr. Speaker. As of February 27, 2007, the Uniform Athlete Agent's Act has been passed in 35 states together with the District of Columbia and the Virgin Islands.

"Just yesterday it was in the Advertiser Hawaii had ten (10) players who were offered a contract, either by way of draft or free agent contract. This placed the University of Hawaii in the top ten of all universities in the country for athletes getting drafted in football.

"Concerns with some of the Sports Agents:

a) False or misleading information or promise and representation to the student athlete. Not telling the student athlete they will lose their scholarship if they sign a contract. (Don't date the contract then date it after the athlete signs it.)

b) Providing anything of value to the student athlete. Cash, cars, gifts, clothes, tickets, jobs, parties, etc.

"the University will lose:
a) Revenue from their sports program, also may be sanctioned by the NCAA.

b) Scholarships.

c) Students (hurt our student athletes – we need to protect them).

"The lure of high compensation and false representations offered by unscrupulous agents may entice student-athletes into leaving school and turn pro only to find later that he or she had been short-changed by the agent, if they fail to make a pro team. They can't go back because they have lost their amateur status.

"I firmly believe that Hawaii has a lot of potential athletes in the waiting and it is high time that we pass this Uniform Athletes Agent's Act into a law to protect our athletes from the impermissible and oftentimes illegal practices of some athlete agents.

"The Uniform Athlete Agents Act is an important tool in regulating the activities of athlete agents and student-athletes and member institutions. For this, Mr. Speaker, I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 275, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 77 and H.B. No. 30, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 30, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I'd just like to say a few words in support of Conf. Com. Rep. No. 77. This is a bill that was vetoed by the Governor last year. And over the past two Sessions, I would say, both on the Floor and in opinion pieces, I think we've heard a lot of arguments against this measure. I would like to take a few minutes to clarify and to refute some of them. Because when I hear some of those arguments, sometimes I feel like I'm in Burger King, you know, when you get served one Whopper after another.

"Let me try to clarify and refute some of the 'fast food' arguments that are made. One of the opinion pieces that the Lt. Governor recently wrote, he said that the federal government frequently asks states to consent to such arrangements on short notice. And that's been a point of contention, whether or not these agreements come up in such a fashion that we are unable to deal them in the Legislature.

"Now, I suspect the reason why he didn't mention even one trade agreement is that it has never happened. In fact, the FTAs currently with Columbia and Peru have taken over two years, and that's not even talking about the number of years it takes before that trade agreement is even debated in the Congress.

"One of the most troubling things about this whole issue has been how this would put local businesses at a severe disadvantage. Mr. Speaker, when the Governor committed Hawaii to the Central America Free Trade Agreement in March of 2004, that is exactly what happened. We put local businesses in this State at a severe disadvantage in the global market place. What do I mean by this? I'm just surprised that the Lingle-Aiona Administration seems to be unaware of the fact that we have a local preference when dealing with businesses in our State. For example, for printing. We have a 15% preference when we give to local printers so that they can have an advantage over printers that are bidding from out of state. It's a good policy. It helps local businesses and it keeps jobs at home.

"When the Governor signed on to CAFTA, this hurt these businesses because now a business, say, in Guatemala, could file a complaint with their government …"

Representative Pine rose, stating:

"I'm just standing on a point of personal privilege, Mr. Speaker. I take great umbrage in the previous speaker saying that the Linda Lingle and Aiona Administration does not understand our local needs and he implied that."

The Chair responded, stating:

"The Chair recognizes Representative Takumi in continuing on his discussion. Please proceed."

Representative Takumi continued, stating:

"Thank you very much, Mr. Speaker. A printing company in Guatemala could ask its government to challenge its bidding process as a trade barrier, and this State could then be subject to trade sanctions. Let me retract that. The Lingle-Aiona Administration is aware of this and is doing it deliberately to hurt local businesses. There's only two ways to look at it."

The Chair recognized Representative Pine, stating:

"Representative Pine, for what point do you rise?"

Representative Pine rose, stating:

"The same point as I did previously. I don't think that the Lingle-Aiona Administration is trying to purposely hurt the local economy, local people, local families."

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. The current speaker is not raising on a point of personal privilege. She should look at Mason's, Section 223, to find out the definition, and that is not even close. Thank you."

At 5:36 o'clock p.m., Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:38 o'clock p.m.

Representative Takumi continued, stating:

"Let me continue here. Does the Lieutenant Governor, and I would urge everybody to read the opinion piece. I can give you the citation. I forget the exact date. It was both in the *Advertiser* and the

Star-Bulletin. Does the Lieutenant Governor and those who oppose this measure believe that giving jobs to a company in Guatemala helps our local economy? I beg to differ."

Representative Thielen rose, stating:

"Mr. Speaker, I think that's speculative and I don't think that's really …"

The Chair addressed Representative Thielen, stating:

"For what purpose do you rise, Representative Thielen?"

Representative Thielen: "I don't know what the point is, but I will just rise."

Speaker Say: "No, you are out of order."

Representative B. Oshiro: "Point of order. She needs to do that on rebuttal."

Representative Thielen: "It's not exactly rebuttal, but the Lt. Governor is not here to defend himself."

Speaker Say: "Representative Thielen, you are out of order at this point. Representative Thielen. You are out of order at this point. Representative Takumi, please continue."

Representative Takumi continued, stating:

"Thank you very much, Mr. Speaker. Let me just point out, in deference to the Representative from Kailua, there have been many times on this Floor when people made references to newspaper articles, and to speeches that were made not on the Floor of the House. That is precisely the point that I am making now. Now, if that's not going to be allowed, then I say that knife cuts both ways and you should not allow that in the future. Please let me continue, Mr. Speaker.

"Let's leave aside the trade agreement argument for this moment. There's a basic constitutional principle at work here. Anyone who knows the Hawaii State Constitution, Article VII, that lays out the power of the Legislature when it comes to budgets, taxation, and spending. The Lt. Governor wrote in that opinion piece that this will eliminate the Governor's authority to enter into international trade agreements. You know, Mr. Speaker, it reminds me of a recent study a couple of days ago in the paper about this guy in Nebraska who mistakenly got $80,000 put into his bank account and spent it. He was asked by the media, is there a point that you knew it wasn't yours or what? And his reply was, 'I can't say there was a point. I guess in the back of your mind you're thinking it's too much of a good thing.'

"Well, for the Lieutenant Governor to assert the Governor has the authority to enter the State into the non-tariff provisions of the trade agreement, which smacks straight at the heart of procurement is also too good to be true. Mr. Speaker, the Legislature determines procurement policies. Plain and simple. "

Representative Morita rose to yield her time, and the Chair, "so ordered."

Representative Takumi continued, stating:

"Thank you very much, Representative. These free trade agreements impact more than just our State spending decisions. Recently, you may have heard that the World Trade Organization confirmed that the U.S. lost its internet gambling dispute with Antigua, a decision that could have enormous implications in our State since, obviously, we don't have gaming. So, do the Lt. Governor and others believe that we should allow foreign countries to dictate our social policies? You be the judge. I happen to disagree with that point of view.

"Fortunately, a growing number of governors, 31 at last count, Mr. Speaker, have declined the U.S. Trade Representative's invitation to sign on to CAFTA. And if we look at the more recent trade agreement, such as the Korea Free Trade Agreement, even more governors are doing so, as well. Maryland and Rhode Island have already passed a law similar to the measure before us.

"And unlike the Lt. Governor and those who oppose this measure, I happen to believe that there should be open debate and public hearings so that we can best judge, if it's in the best interest of our State to enter into these trade agreements and non-tariff provisions of these trade agreements. After all, shouldn't we be taking the time to analyze whether these free trade agreements benefit the people of this State? This is why this measure is necessary, Mr. Speaker, and this is why it's good public policy. Thank you."

Representative Pine rose, stating:

"In rebuttal, Mr. Speaker. In opposition to the measure. Just a couple of points. One, just for the record, the Lt. Governor and the Governor are not against local people. Two, the Lt. Governor and Governor will never do anything to purposely hurt the local people. Three, the Lt. Governor and the Governor would not do anything to put the people of Guatemala above the people of Hawaii. Four, what this bill is really about is just giving the Legislature more power, just like so many other bills that are going to this Legislature. And, lastly, the Lt. Governor and Governor are not from Nebraska. Thank you."

Representative Ward rose to respond, stating:

"I said earlier I would insert comments in the Journal, and because the speaker rose without having anything to rebut I thought rather than having him 'shadow box', I would give me some things to rebut. So, I'm going to stand up and say a few things, if I may. In opposition.

"First of all, free trade is good. Free trade is what made America prosperous. Free trade is what made Hawaii prosperous. It's not putting barriers to free trade. It's opening us to free trade. Friedman said the world is flat. The Earth is flat. Well, sometimes I think we've got our heads in the sand if we forget that we're in the middle of the Pacific and we have the global forces around us with a global economy. As the Governor says, we have a global wave that's going to either hit us. Are we going to ride it or we're going to get smashed by it? This is one of those wake-up calls about either adjusting or become antiquated like the dinosaurs.

"We have to realize who we are and what special location, what special destiny we have. And having constraints by having the Legislature oversee what, basically, is a federal issue, which, basically, is an international issue. To do that is simply just, I think, missing the mark of who we are, what our destiny is, and what we can do to compete for the future, of which we've got two to three billion people just around the corner, across the ocean from us. That is not going to just be like that forever and forever. And if we put more constraints on people coming to Hawaii, doing business in Hawaii, free trade with Hawaii, we're going to be very sorry for that.

"But I would just repeat, Mr. Speaker, the prosperity of the West is a trading prosperity. Free trade is what brought us here today, not these protectionisms. Having worked with both USAID and the World Bank, any of those countries that do protectionism, price setting, subsidation of industries that are going to die off, they are the ones who kill their own economies. This is proof with the World Bank publications left, right, and center have shown that.

"So, this, insular view, this provincialism that I hear on this particular bill, and I see written in the statute, is not good policy. It's not the world of the future. It is not, I think, what is going to be good for Hawaii.

"Mr. Speaker, you just approved recently that I'm going to go to an ALEC Conference, so, I called to rent a car. I called the rent-a-car and guess where I landed up in? I was in Manila. The Manila people booked me to go to Philadelphia. I called again and I got India. That is not an uncommon experience. This is part of what we're experiencing in Hawaii. This is part of what we have to adjust to. And what we have to be ahead of, and not be behind the curve. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I just really feel the need to actually characterize this in its proper form. People need to read the bill and realize this is not talking about any trade agreement, we're not interfering with the free market. This is limited to trade agreements that deal with procurement. If you look at the bill, page 4, line 16, that's what we're talking about. And procurement is how we, as a State, want to spend taxpayer money. That's all we're dealing with. We're not talking about the free market.

"The free market can enter into as much agreements and free market as they want to. If they want to go in a conglomeration and find that doing their business in India is cheaper, we are not limiting that by this bill. What we are saying in this bill is when it's taxpayer money and when we are deciding where that money is to be spent, through contracts under the Procurement Code 103D, then what we want to make sure is that those preferences that we have declared in our Legislative body, whether it's for local preferences, for recycling products, for enumerated different categories under our Procurement Code those things should always be respected. And that is what we are protecting by this bill. It is not an infringement on the free market place. Thank you."

Representative Morita rose to speak in support of the measure, stating:

"In strong support. I was going to make the same point as the Representative from Aiea, but it was probably not as eloquent, so I'd just like to adopt his words as my own, and also the words of the representative from Pearl City.

"I also want to make this point. That what we seek is not free trade, which is unbridled capitalism. What we really want to seek is fair trade. Trade agreements that are fair to everyone, and are sustainable for all countries."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 30, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AGREEMENTS," passed Final Reading by a vote of 42 ayes to 8 noes, with Representatives Awana, Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no and, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 79 and H.B. No. 1364, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1364, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RENT SUPPLEMENT PROGRAM," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 82 and H.B. No. 116, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 116, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Bertram rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Conference Committee Report No. 82. I am standing in strong opposition, Mr. Speaker, and just brief remarks. I oppose allowing the telecommunication towers on agricultural land as a permitted use. Because this will not have any land use review, I think that they could be sited in very inappropriate places. And I think it also takes over the jurisdiction of the counties in looking at what should or should not take place on the land. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In support. Everybody wants cell phones. Nobody wants towers. In my district, you can't get radio. You can't get cell phone. You can't get television. In my district, 98% of the people I represent live on ag land. If we don't put towers on ag lands, we got no towers."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 116, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Final Reading by a vote of 38 ayes to 12 noes, with Representatives Belatti, Berg, Bertram, Brower, Luke, Morita, Nishimoto, Saiki, Takai, Takumi, Thielen and Wakai voting no, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 84 and H.B. No. 155, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 155, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 155, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

At 5:52 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 895, HD 2, SD 1, CD 1
H.B. No. 14, HD 1, SD 1, CD 1
H.B. No. 275, HD 1, SD 2, CD 1
H.B. No. 30, HD 2, SD 1, CD 1
H.B. No. 1364, HD 2, SD 1, CD 1
H.B. No. 116, HD 2, SD 1, CD 1
H.B. No. 155, HD 1, SD 2, CD 1

Conf. Com. Rep. No. 85 and H.B. No. 483, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee and H.B. No. 483, HD 1, SD 1, CD 1, be recommitted to the Committee on Conference, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the motion to recommit, stating:

"I'll simply say that's a very good decision. I think there were a lot of problems with that bill. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee and H.B. No. 483, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," were recommitted to the Committee on Conference, with Representative Cabanilla being excused.

Conf. Com. Rep. No. 94 and H.B. No. 1212, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1212, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I'm happy to report that the Judiciary budget boasts an additional $13 million in fiscal year '07 - '08, and $10 million in '08 - '09. The funds are designed to improve the efficiency and productivity of existing programs and services and provide additional staffing and resources to ensure the Judiciary is able to maintain its high level of service as demand rises.

"In 2006, the Judiciary received over 113,000 filings, including over 74,000 criminal and civil filings, over 32,000 family court filings, plus over 491,000 criminal violations. While most of the items funded are not sexy, they are sorely needed. Highlights include funding for juvenile detention workers, juvenile sex offender treatment, treatment for child victims of sexual abuse, domestic violence treatment services, social workers to provide victims equal services, funding for the Interagency Council on Intermediate Sanctions, and equipment for the new courthouse in Hilo.

"The budget also includes grants-in-aid for Hawaii Family Law Clinic, Legal Aid Society of Hawaii, Na Loio Volunteer Legal Services, and Domestic Violence Clearinghouse. And, also, for those of you who care, $25 million for the Kapolei Court Complex. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"I rise in support with slight reservations. This is in regard to his last statement. The Kapolei Courthouse is very well done that they did finally fund it. They are going to have all the different floors and stories and lofts fully built out. The only thing is that this bill lacks a proviso regarding the Family Court issue, which has been brewing for the last few years because there are a number of vocal and aggressive groups, lawyers, including some family members of my community, and a large number of Neighborhood Boards are saying if all the Family Court has to go out to Kapolei, that's cruel and unusual driving time and punishment for them to have to do it. Why don't we have 50% there and 50% here?

"Mr. Speaker, otherwise, this is a good bill. It's the right money at the right place, but I think that issue has to be addressed by the Chief Justice. Hopefully, in the State of the Judiciary in 2008, he will have addressed that. Otherwise, I'm sure these groups that are very discontented with that issue will come back to haunt him. Thank you."

Representative Waters rose, stating:

"Thank you, Mr. Speaker. I'd also like to thank the Chair of Judiciary and Representative Bob Nakasone for his hard work and also the Representative from Hawaii Kai. He was on the Conference Committee, as well. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm voting against the Judiciary budget and I'd like to explain why. It's purely because the budget is silent on the move of the Family Court to Kapolei. We heard quite compelling testimony of the hardship that this would place upon people who are in Family Court for various reasons and having to drive all that way out there, having to pay for the attorney's fees for the Downtown based attorneys driving out there. It would create quite a hardship.

"At one point, I thought it was going to be guaranteed that there would be at least one courtroom in Downtown Honolulu. I really think one is too few for Family Court matters where so many of the practitioners and the parties to the cases are in the Downtown area or in the broader Honolulu area. So, for that reason, I'm voting no. Otherwise, I think the budget is fine, but not the Family Court situation. That's not been solved satisfactorily. Thank you."

Representative Waters

"Mr. Speaker, may I be permitted one quick …"

Speaker Say: "A point of rebuttal?"

Representative Waters: "No. Actually, I think I thanked myself. I would like to thank the Chair of Finance."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I have the same concerns that my colleague from Kailua does and I would like her words inserted in the Journal as if they were my own, and I would also be voting no because of that."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I will be voting aye on this budget. We received a letter from the Chief Justice a couple of weeks ago that indicated his willingness to keep five courtrooms open in Downtown Honolulu for the Family Court. I don't know whether this budget will allow it, but he did indicate that he would be seeking funds to renovate the Downtown courtrooms. Because of his intention to comply with our request, I am in favor this budget. Thank you very much."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support. Mr. Speaker, as was mentioned earlier about communities that are going to be negatively impacted from the long drive, as a Representative of a community that has been negatively impacted for years, driving into town, I'm very supportive of the budget. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you. I am in strong support. I practiced in Family Court for 13 years now, and the drive from Waipahu to Downtown takes about an hour and a half, because you have to be there at 8:00 or 8:30. But the data that was presented by the Chief Justice in our briefings is that two-thirds of the family practitioners actually can go to Kapolei a lot faster than going to Downtown.

"For example, people from Kailua can use the very nice H-3 and get to Kapolei quicker than they would be able to get to Downtown. And that's why this is, actually, a very good idea to keep it down there. I think those who are impacted are more like Kahala and Hawaii Kai, but you know, they're lawyers. They can adjust.

Because most of the people that they represent don't live in Hawaii Kai. It's usually they live somewhere else in the rural area.

"So, this is a very good idea. We are going to have a brand new court. And, members, you should know that in 1990-ish, around there, Representative Alcon from Kalihi, was talking to me about this and how the Legislature dealt with this issue. There was money appropriated, and all of a sudden because of some lawyers complained and the judges for that matter. They were complaining, and I don't know what they did, but they took the money away and put it somewhere else. And that's why it took this long to improve a Family Court system.

"We really, really should support this. That's the Second City. Hopefully, we'll get a new mayor someday over there, too. But, the thing is, it is great to have a nice facility with courtrooms. We're going to have more positions for judges in the Family Court. So, it is an improvement in totality of the Family Court system."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1212, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Meyer and Thielen voting no, and with Representatives Cabanilla, Morita and Takumi being excused.

Conf. Com. Rep. No. 95 and H.B. No. 1200, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1200, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Morita and Takumi being excused.

Conf. Com. Rep. No. 97 and H.B. No. 1899, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1899, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support of the bill relating to Kawai Nui Marsh. Mr. Speaker, I would like to just briefly have thanks entered in the Journal to Muriel Seto who was such an advocate for Kawai Nui Marsh restoration. And to Christina Ho who was in my office several years ago and spent countless hours working to get Kawai Nui Marsh listed as a Ramsar Wetland of international significance and we were successful in that effort. So, I think, they both deserve credit for where we are today. Thank you."

Representative Chong rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chong's written remarks are as follows:

"Mr. Speaker and Members of the House: It is with great pleasure that I support of HB 1899 HD2 SD2 CD 1, Related to Kawai Nui Marsh.

"As everyone knows, reaching an agreement acceptable to all parties concerned has been a long process. However, throughout the many discussions, good reasoning prevailed and we have drafted legislation that resolves the long-standing dispute between the City and the State over the jurisdiction and management of the Marsh and that provides funds for the restoration of the Marsh.

"I want to thank everyone, City officials included, who worked hard to come up with legislation that ensures the restoration and protection of the Marsh -- one of the State's largest remaining wetlands -- for future generations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1899, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Morita and Takumi being excused.

Conf. Com. Rep. No. 101 and S.B. No. 1853, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1853, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Because of time, I'm going to save us all from my 9 page speech and just submit comments to the Journal," and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"Thank you, Mr. Speaker. I am in strong support of this measure. This measure adds a new Chapter to Title 12 of the Hawaii Revised Statutes and was amended in Conference and replacing it with language that creates an 'Aha Kiole Advisory Committee.

"The purpose of this Act is to initiate the process to create a system of best practices that is based upon the indigenous resource management practices of *moku* (regional) boundaries, which acknowledges the natural contours of land, the specific resources located with those areas, and the methodology necessary to sustain resources and the community.

"In addition, this legislation calls for perpetuation and preservation of the knowledge of practitioners and the restoration of healthy ecosystems through furtherance of the *ahupua'a* management system. This includes *konohiki* management with *kapu* and *hoa'aina* rights, and the re-establishment of the 'Aha Moku Councils."

"As you may or may not know, the *ahupua'a* is an ancient Hawaiian land division system which contained strips of land that extended from the mountain to the *kupapaku* (ocean floor). The *ahupua'a* supported a self-contained and *ola* (life giving) community working with a spirit of cooperation of caring and revering the land to meet the needs of all. Through the study of the ancient Hawaiian *ahupua'a*, the biological and non-biological factors and their interactions, we hope to identify those elements which supported the success of that ecological system. Learning to build on those elements and not rival nature but to cooperate and live in harmony with her to build a sustainable future is the goal.

"Furthermore, Native Hawaiian culture and traditions is knowledge passed on for generations and still living for the purposes of the perpetuating traditional protocols, caring for and protecting the environment, and strengthening cultural and spiritual connections. It is through the Aha Moku Council that native Hawaiians protected their environment and sustained the abundance of resources that they depended upon for thousands of years.

"Today, many Hawaiian communities are becoming revitalized by using the knowledge of cultural practitioners that was passed down through our *kupuna* and experienced farmers (*mahi'ai*) and fishers (*lawai'a*) to engage and enhance both sustainability and subsistence and self-sufficiency.

"Across the world, specifically in Ghana, in their efforts of identifying best practices on indigenous knowledge, the traditional

practice begins by establishing a dialogue between the practitioners and professionals seeking to solve specific problems and various key persons in the communities: spirit mediums, traditional healers, elders, women functionaries, and persons who are knowledgeable in the subject concerned. The dialogue generates debate which gives rise to further action for development and to the improvement of local practices. The result is a blending together of indigenous knowledge and improved practices.

"This sounds very familiar. As this bill similarly does the same.

"In the 2005 Hawaii Ocean Resources Management Plan report to the Twenty-Third Legislature Regular Session of 2006, it was identified under the protection of natural and cultural resources section that development of a system for assessing management needs and developing management practices that draw collectively on regulatory, science based, traditional and cultural, community based and political systems such as the *konohiki* or *ahupua'a* concept is needed. The 'Aha Moku Councils provide meaningful feedback. This came out of the 2005 Hawaii Ocean Resources Management Plan report.

"According to Office of Hawaiian Affairs testimony, this is also consistent with the Hawaii State Constitution which reaffirms and protects all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by *ahupua'a* tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the rights of the State to regulate such rights.

"When the first settlers arrived here, they found incredibly unique ecosystems, but within those ecosystems there was very little that could sustain them, other than the marine ecosystem. The plants they brought with them in their voyaging canoes were the core of their culture. They were their food plants, their fiber plants, their medicine plants, their ritual plants. Initially, they would have looked for a place with abundant marine resources, fresh water, and rainfall to water the plants that they had brought with them on their voyages.

"The traditional Hawaiian perspective saw the *'aina* and the *ali'i nui* (high chiefs) as elder siblings (brother or sister), with the *maka'ainana* as the younger sibling - all three having descended from the mating of the earth and sky. It was the duty of the *maka'ainana* to *malama 'aina* (care for the land), while it was the duty of the *'aina* and the *ali'i nui* to *ho'omalu* (protect) the *maka'ainana*.

"The *ahupua'a* was viewed as a single system. The *konohiki* managed the *ahupua'a* as one system. What happened in any one part of the *ahupua'a* affected all the other parts. The head was connected to the tail, the *mauka* connected to the *makai*. The *maka'ainana* worked as a community with a shared interest in protecting the land and water resources from *wao* to *ko kaha kai*.

"Pre-contact Hawaiians depended upon an extremely ordered and equitable system of land division in which district boundaries were most carefully planned and laid out. This guaranteed that all natives residing within these boundaries would receive a fair share in the rights, privileges, and benefits essential for a self-sufficient yet comfortable life. Private land ownership was unknown, and public, common use of the *ahupua'a* resources demanded that boundaries be drawn to include sufficient land for residence and cultivation, freshwater sources, shoreline and open ocean access."

"There was a clear line of responsibility from gods *to ali'i* to *konohiki* to *maka'ainana*. There were clear *kapu* (prohibitions), which controlled when and how resources were used, with very strict penalties for those who did not follow the *kapu*.

"As the native Hawaiians used the resources within their *'ahupua'a*, they practiced *aloha* (respect), *laulima* (cooperation), and *malama* (stewardship) which resulted in a desirable *pono* (balance). This is sound resource management where the interconnectedness of the clouds, the forests, the streams, the fishponds, the sea, and the people is clearly recognized."

"Hawaiian settlers changed their new island home to suit their needs: the *kula* (lowland mesic forest) was cleared for agriculture, valley slopes were terraced, the *muliwai* (estuary) was used for fishponds, the *wao akua* (wet forest) provided building materials, firewood, and medicinal plants; and birds were hunted for food and feathers.

"Hawaiian native plants and animals developed over many millions of years with no defense against large ground predators like man, or his domestic plants and animals. The first canoe carried perhaps up to thirty types of crop plants, and pigs, dogs, and chickens. Also on board were stowaways like the Polynesian rat, geckos, landsnails, and weeds.

"A major change was habitat alteration for agriculture. As the population grew, more and more of the lowland mesic forest was cleared and used to grow food. Other areas were burned to encourage the growth of pili grass, used for covering their houses. The *wao akua* was less affected, yet it was logged for woods like *koa* and *'ohi'a*.

"As in most of the Pacific islands, many species of endemic birds became extinct after the arrival of man. At least forty endemic species disappeared - large flightless geese, ibises, rails, owls, a hawk, an eagle, ravens, and many songbirds. The cause of these extinction was not only hunting for feathers and food, but also the introduction of the Polynesian rat, wild pigs, and destruction of the *kula* habitat.

"To the farmer, *wai* was life, *wai* was wealth, *wai* was the source of the law of the land. *Wai* was needed to grow *kalo*, the principal food resource. The right to use *wai* depended on the use of it. As long as the *maka'ainana* cultivated the land and contributed their share of labor required to maintain the water resource, they had a right to use the water for their *kalo*.

"Kalo lo'i alone could claim the water. Other plants were considered dry land crops, unless there was water to spare. People worked together to build and maintain *lo'i* (taro fields) and *'auwai* (irrigation canals) in each of the ahupua'a.

"Kalo cannot grow in stagnant water. It needs a constant supply of cool water flowing through it. Although planters diverted water from the stream into an *'auwa*i to deliver this water to the *lo'i*, the total amount taken was never more that 50% of the total flow. Once used in the *lo'i*, the water was returned to the stream. *Pani wai* (dams) were used to divert the stream into the *'auwai*.

"These *pani wai* were built by stacking basalt boulders across a stream. This did not change the stream bottom and stream width, or block the passage of native stream animals from *mauka* to *makai.* Groups sharing the *pani wai* killed anyone who broke it, cramming the dead body into the break. Water was extremely serious to the native planter.

"Another use of *wai* was for aquaculture. The invention of the *loko 'ia* (fishpond) was a special achievement of the Hawaiians. Fishponds were highly productive and developed during the growth and expansion of the population. Those who had fishponds "loved the lands where they dwelt. Fishponds were things that beautified the land, and a land with many fishponds was called fat."

"The main species of fish raised in ponds were *awa* (milkfish) and *anae* (mullet). It was not unusual for a taro farmer to cultivate *o'opu* and *opae* in his *loko 'ia kalo*.

"Tradition associates the most famous *loko 'ia*, Alekoko Fishpond, with two *ali'i*, a brother and a sister. These fishponds were symbols of chiefly status and power, and usually under the direct control of

ali'i or *konohiki*. The fish from these ponds often went to feed chiefly households.

"Hawaiians were primarily planters of the land. By the time Captain Cook arrived in 1778, Hawaiians had developed agricultural production far beyond any of their Polynesian relatives elsewhere in the Pacific.

"Hawaiian agriculture was based on two main crop plants. The first was *kalo* (taro), a water loving plant of southeast Asian origin. No other Polynesian society admired *kalo* as a plant and source of food as much as the Hawaiians. The Marquesans were into breadfruit - the Tahitians into bananas - Hawaiians were really into *kalo*. It was and is the heart of their culture. In all of Polynesia, there were no extensive flat valley bottoms, so perfect for *kalo* cultivation, that could compare to those found in Hawai'i.

"Second only to *kalo* as a crop plant was *'uala* (sweet potato) - tolerant of dry conditions and capable of producing high yields, even in marginal soil. Because *'uala* is of South American origin, it was once believed that Polynesians were from that area. However, our recent understanding of the voyaging skills of Polynesian explorers indicates that they acquired the plant in their travels, well before European arrival.

"Other crop plants important to the native planter: *mai'a* (banana), *'ulu* (breadfruit), *ko* (sugarcane), *niu* (coconut), *uhi*(yam). Other plants extensively cultivated were *wauk*e (paper mulberry) for *kapa*, *'awa* as a narcotic, *ipu* (gourd) for containers and musical instruments, *hala* for mats, and many other useful and medicinal plants. However, crop tending activities were most focused on *kalo* and *'uala.*

"To the right, *'awa* - used as a ritual drink and as a remedy for sore muscles after a hard day of work in the *lo'i* (taro patch). A little *'awa*, a little *lomi lomi* (Hawaiian massage) - *aole pilikia* (no problem).

"The earliest planters did not immediately begin construction of large irrigation systems for taro because their small population did not require intensive production. For the first few centuries following their arrival, slash and burn gardens, or shifting cultivations, were their most efficient techniques. Land early on was plentiful, and Hawaiian settlers also made extensive use of the natural food resources - native birds, fish, and shellfish.

"However, in the period from A.D. 1100-1600, the Hawaiian population would grow to several hundred thousand. It was at this time that large irrigation works, dryland field cultivation, and aquaculture were developed. This period was called the Expansion Period, because the growing population, having occupied all the choice agricultural lands, had to expand into marginal areas with less agricultural resources.

"It was in the Expansion Period that stone- faced *lo'i* (pondfields) and *'auwai* (irrigation channels) were built. Around the fifteenth century, the earliest *loko 'ia* (fishponds) were built. The native population had become large enough to provide the labor for these massive projects of agricultural intensification.

"It was in the Expansion Period that the *ahupua'a* system of land management developed, along with its associated social class structure. As the population grew and the amount of available land and resources diminished, the need to divide these resources and resolve territorial boundaries increased - thus, the *ahupua'a* system. Residents of an *ahupua'a* had free access to all the resources in their *ahupua'a*, from *mauka* to *makai and makai to mauka*.

"By the Expansion Period, the society had divided into a pyramid type of structure, with the *mo'i* (king) at the top, layers of *ali'*i (chiefs) below him, the *konohiki* (managers) in charge of the ahupua'a below them, and at the bottom the *maka'ainana* (common people).The *maka'ainana* were the real native planters, and as their name suggests, "the eyes of the land". At the top of the pyramid, *ali'i nui* Kamehameha I.

"In return for their use of the land, the *maka'aina*n*a* owed the upper layers of chiefs labor, loyalty, and a share of their agricultural product . All rights to the land were with the *ali'i,* and the *ali'i* could gain or lose power with a turnover in chiefs above them. Changes in upper level *ali'i* rarely affected the native planters because the *maka'ainana* who faithfully cultivated the land were valuable to whoever was in power.

"Once constructed, Hawaiian irrigation systems did not require much management. However, these systems produced high yields for the labor invested.

"*'Ainakumuwai* is the land that is the source of the water. It is another name for the watershed. The quality of a stream's water depends on its source. Rain runs off of the land into streams, or percolates into the groundwater. What ever the rain carries into a stream affects the qualities of that stream.

"High quality Hawaiian streams are clear, cold, and have a strong flow all year long. There is little sediment, leaf litter, and other loose debris because of uninterrupted stream flow and flash floods caused by heavy rains in the mountains. Flow rates can rise and fall rapidly in response to rainfall. Hawaiian streams have a relatively short and steep descent from the mountains, and their bottoms are typically basalt (bedrock, boulders, cobbles, gravel, and sand). Any withdrawal of water by well, tunnel or diversion affects the streamflow. *(Mauka to Makai Connection*)

"Biologically, alien introduced species dominate to the near exclusion of native species. We see primarily poeciliid fish (small mouth bass, guppies, sword tail, *medaka*). *Hinana* (young *'o'opu*) are like candy to these introduced fish. Many streams are a poor habitat for native species because of severe sedimentation, dewatering, bank erosion and human impacts to riparian areas. The riparian zone and forests are mostly alien species.

"When humans arrived over a thousand years ago, they began changing their new island home to suit their needs. We have examined the attitudes and effects of the *ahupua'a* and plantation management systems on land, water, and sustainability throughout Hawai. As we continue to change our island home, the effects of our decisions will be visible in the streams and water. We have looked at what was and what is. What will be is our *kuleana* (responsibility)

"Over the past two hundred years, we have seen and experienced severe changes. These changes include the deterioration of the Hawaiian culture, language, values and land tenure system have in part resulted in the over-development of the coastline, alteration of fresh water streams, destruction of the live-giving watersheds, decimation of the coral reefs and decline of endemic marine and terrestrial species.

"Stewardship of the land and its resources was formalized through the *kapu* system. The *kapu* (taboo) - administered and enforced by *konohiki* and *kahuna*, or priests - placed restrictions on fishing certain species during specific seasons, on gathering and replacing certain plants, and on many aspects of social interaction as well. In this way, the community maintained a sustainable lifestyle. Through sharing resources and constantly working within the rhythms of their natural environment, Hawaiians enjoyed abundance and a quality lifestyle with leisure time for recreation during the harvest season of the year. This lifestyle also encouraged a high level of artistic achievement. Many crafts, including Hawaiian *kapa* and featherwork, were the finest in the Pacific. Hawaiians devoted themselves to competitive sport and martial arts as well as expression through dance and chant, creating rich traditions that continue today.

"Restoration is the return of a degraded ecosystem to a close approximation of its remaining natural potential. We know some of the problems that restoration has to deal with already. We review the

physical, chemical, and biological conditions separately, although they work together as one system. Then we speak about the most important element of all - the modern day *maka'ainana.*

"The *ahupua'a* is an ancient Hawaiian land division system which contained strips of land that extended from the mountain to the sea. The *ahupua'a* supported a self-contained community working with a spirit of cooperation of caring and revering the land to meet the needs of all.

"Through the study of the ancient Hawaiian *ahupua'a,* the biological and non-biological factors and their interactions, we hope to identify those elements which supported the success of that ecological system. Learning to build on those elements and not rival nature but to cooperate and live in harmony with her to build a sustainable future is the goal.

"Native Hawaiian Practices means cultural activities conducted for the purposes of perpetuating traditional knowledge, caring for and protecting the environment, and strengthening cultural and spiritual connections. It is through the Aha Moku Council, Native Hawaiians protected their environment and sustained the abundance resources which they depended upon for thousands of years.

"Today, many Hawaiian communities are becoming revitalized by using the knowledge of cultural practitioners that was passed down through our *kupuna* and experienced farmers (*mahi'ai*) and fishers (*lawai'a)* to engage and enhance both sustainability and subsistence and self-sufficiency.

"Furthermore, many Hawaiian communities are interested, willing and able to advise the departments, agencies, organizations and other groups in integrate traditional knowledge, and "*ahupua'a* management practices."

"This is consistent with the Hawaii's State Constitution which reaffirms and protects all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by *ahupua'a* tenants who are descendants of native Hawaiians who inhabited the Hawaiians Islands prior to 1778, subject to the rights of the State to regulate such rights.

"This program shall foster understanding and practical use of knowledge, including Native Hawaiian methodology and expertise, to assure stewardship of the interconnectedness of the clouds, the forests, valleys, land, the streams, the fishponds, and the sea. It shall include the use of community expertise, establish programs and projects to improve communication, education and training on the stewardship (*mauka* to *makai,* and *makai* to *mauka*) issues throughout the region (*moku*) and increase scientific education among related professions including community residents and native Hawaiians.

"I urge my colleagues to please support this measure. Mahalo!"

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support and may I have the nine page comments of the speaker from Hana entered into the Journal as if they were my own."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I rise today to express my strong support for S.B. No. 1853, S.D. 2, H.D. 2, C.D. 1. The purpose of this bill is to establish a framework to provide input in how the State manages our natural resources. The framework is based on the indigenous resource management practices of *moku* boundaries.

Mr. Speaker, conservation has been one of our major focuses. This Session, we have wisely made conservation a priority and made progress in many ways. We have devoted a large amount of our resources to ensure the beauty of our islands, to ensure the abundance of resources in our oceans, and to ensure the health of our *'aina*.

"But no amount of money can help us if we go about it in the wrong way.

"This bill is the first step towards the creation of an Aha Moku Council Commission. The Council, with the input of Native Hawaiian practitioners from 37 *mokus*, can help us find the right balance between growth and sustainability.

"We now begin this process with the creation of the Advisory Committee.

"This bill is the product of policymakers and stakeholders statewide who joined forces to find a way to integrate traditional knowledge into our efforts to shape a sustainable future for our State.

"I strongly believe that this bill will continue the process that they have started, to create an Aha Moku Council system that is efficient, inclusive, and beneficial for all of us.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1853, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Final Reading by a vote of 48 ayes, and with Representatives Cabanilla, Morita and Takumi being excused.

At 6:03 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1212, HD 2, SD 2, CD 1
H.B. No. 1200, HD 1, SD 2, CD 1
H.B. No. 1899, HD 2, SD 2, CD 1
S.B. No. 1853, SD 2, HD 2, CD 1

Conf. Com. Rep. No. 106 and S.B. No. 1402, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1402, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm voting no on this measure. I'd like to explain why. It's the Loss Mitigation Grant Fund, which means that if you apply for some money to either harden your roof against hurricanes or to build a safe room within the house, you can have funding from this Fund. My concern is it's not at all means based, so, it could be used by a millionaire to build a wine cellar as a safe room and I think it should be means based, instead, to go to the people that wouldn't have adequate money to be able to do that work on their home. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations for those same reasons."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Reservations for the same reasons. Also, something that the Chair of Consumer Protection and Commerce has brought over repeatedly, over and over again is. We're going to be basically giving this fund for safe rooms in places that have never even had hurricanes. I just think we're opening up a giant 'slush fund' for people's home improvements in places where there's really no risk. Thank you."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose in opposition to the measure and asked that the remarks of Representative Thielen be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. Could you retract my vote with reservations? I'm going to vote no."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1402, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOSS MITIGATION GRANT FUND," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Finnegan, Meyer, Pine and Thielen voting no, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 108 and S.B. No. 896, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 896, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of the High Technology Incubation Center in Kakaako. This is 66,000 square feet of lab space, office space, and what I hope is going to be the beginning of what some have as a Silicon Valley. We will have a high rise there of 66,000 square feet of scientific and otherwise advancement that produces a Bill Gates, or Steve Jobs, or the others who, because of the jobs that are going to be created, are high paying and with strong education and qualifications. And, Mr. Speaker, all of my other remarks I request to be in the Journal," and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise to speak in strong support of this measure. At the beginning of the Session, Governor Lingle laid out her plan for an innovation economy. One of the goals she wanted to accomplish was the support of a private sector-led life sciences and biotech research facility and technology incubator in Kakaako. While this is not the exact same piece of legislation that the Governor wanted, it does accomplish this part of the innovation economy she has laid out for Hawaii.

"What does the incubation center look like? Currently private developers are developing a four hundred thousand square foot Class A life sciences research complex on 4.98 acres in Kakaako.

"This facility will be the only facility in Hawaii with Class A wet laboratory space available to the non-institutional market.

"The High Tech Development Corporation (HTDC) is currently negotiating with these private developers, to establish a ten year lease for approximately sixty-six thousand square feet of lab and office space.

"Benefits of the bill. Grow Life Sciences and Biotech Industries. This facility will allow HTDC to grow Hawaii's life science and biotech industries by providing high-quality incubator and innovation facilities.

"Creation and growth of Life Science industries will revitalize the region, diversify the economy, stimulate and sustain economic growth for a broader impact on Hawaii's economy.

"It will help retain, grow, and recruit high tech businesses, knowledge-based industry, and talent in the State by increasing academic and research excellence.

"It will provide the much needed infrastructure for further growth in the Life Sciences sector and position Hawaii for global competitiveness.

"It will provide facilities and opportunities to foster public and private sector collaborations for research, with its close proximity to the Medical School and other planned projects.

"Support Hawaii's High Tech Industry — Start-Ups are Key. We all know that capital is important to growth. The High Tech start-up companies will not have to worry about financing business infrastructure and wet laboratory developments.

"Dollar and Job Benefits of this Bill. High Tech industries have a track record of producing high paying and fulfilling jobs. This in turn means a better tax base, which means we all benefit.

"It provides the living wage jobs that this Legislature is intent on creating, without regulating and interfering with businesses and their operations.

"Educational Benefits and Brain Gain Benefits. The media has painted a grim picture for Hawaii's future, that our children will need to leave Hawaii or if they remain, will have to endure low paying and unfulfilling jobs, that there is no hope here in Hawaii, and they call it the price of Paradise. This facility will bring hope and can quickly change this grim outlook to that of hope and the ability to remain here in Hawaii.

"This will encourage our *keiki* to get involved in the STEM programs because this is a field of fulfillment and opportunity.

"Our medical students at the John A. Burns School of Medicine will have increased opportunities because this facility will be clustered in close proximity to the school.

"Mr. Speaker, this is one small part of the Governor's innovation package, but it will pay big dividends to the people of Hawaii, both directly and indirectly. We all can benefit from this, we all will benefit from this, and we should all support this."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I am in support. This bill would help in developing Hawaii's technology and life science industries by appropriating $150,000 for fiscal year 2007-2008, and the sum of $250,000 for fiscal year 2008-2009, for the lease agreement between the High Technology

Development Corporation and the developers or owners of a life science complex in Kakaako, and for plans for and operations of a high technology incubator and innovation center to be held at that complex. Thank you."

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I am in support of Senate Bill 896 SD2 HD2 CD1, Relating to High Technology. This measure will support the fledgling life sciences and biotechnology industry in Hawaii.

"Many other locations in the United States and abroad provide incentives for high technology companies to develop and grow because of the high paying jobs provided by a flourishing high technology industry.

"In the last three years, thirteen biotechnology corporations chose not to select Hawaii as a site due to a severe lack of commercial laboratory space.

"By appropriating funds to the High Technology Development Corporation, to negotiate a long-term lease of sixty-six thousand square foot technology incubator and innovation center, we will provide the needed facilities to attract life sciences and biotechnology companies in the future. Thank you."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"This bill appropriates funds to the High Technology Development Corporation to negotiate a ten-year lease to house a technology incubator and innovation center in a life sciences research complex. This will allow HTDC to participate in a public-private partnership with Kamehameha Schools and developers KUD International and Phase III properties to build wet lab space so that Hawaii can be competitive with life science hubs around the world.

"This life sciences complex will be built in close proximity to the John A. Burns School of Medicine and the Hawaii Cancer Research Center. With the addition of this complex to the cluster of research and development activity presently existing in Kakaako, this concentration of research laboratory space, medical facilities, and high caliber scientists will serve as a signal that Hawaii is a serious option for companies to relocate or establish branch laboratories.

"Currently, one of the major obstacles preventing mainland technology companies from establishing businesses in Hawaii and local technology companies from expanding their operations has been market cost and lack of facilities. Consequently, this bill will directly assist in the growth of the science and technology sectors by helping to provide wet laboratory facilities that are presently in demand. Additionally, the life sciences facility will create an estimated 1,000 new living wage jobs, creating opportunities to bring skilled *kamaaina* back from the Mainland. It is my understanding that the average annual salary in life sciences is $62,000.

"This bill is one means of ensuring that Hawaii's fledgling startups have what it takes to expand their existing businesses. I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 896, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 109 and S.B. No. 880, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 880, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support of SB 880, SD2, HD2, CD1. This measure will preserve and promote Hawaiian culture by first creating a committee which will assist in establishing a Museum of Hawaiian Music and Dance. As a member of the Finance Committee, I was privileged to receive testimony in support of this bill from Mr. James Stone, Jr., President of the Hawaiian Music Hall of Fame expressed beautifully sentiments of many Hawaiians when he stated:

> Of particular importance to Hawaii is the unique voice Hawaiian music gives to its people. Hawaiian music and hula express the language of the heart, and therefore the heart of the Hawaiian people. This bill is a tangible … expression by this body that Hawaiian music and hula are important to our cultural life.

"I am excited about the potential of this bill, and look forward with great anticipation to the Committee's work and the establishment of the Museum of Hawaiian Music and Dance. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 880, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 110 and S.B. No. 1228, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1228, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure, stating:

"In strong support."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I am in support. The story of the wrongful and unconstitutional internment of Japanese Americans by the United States government during World War II must never be forgotten. Many of them lost their jobs and property because of their imprisonment for simply having Japanese ancestry. Unfortunately, some died in these internment camps. Many young Japanese American men volunteered for military service and died for their country while their families were imprisoned by the very country they were fighting for.

"Through this bill, the State of Hawaii supports establishing a process to determine the most appropriate means of memorializing the World War II Japanese American internment camp experience in Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1228, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

HISTORICAL PRESERVATION," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 111 and S.B. No. 1026, SD 2, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1026, SD 2, HD 3, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations and just a short explanation why. I'm against the accepting of the two liters bottles, however, I support the flexibility to suspend the fee increase."

Representative Brower rose in opposition to the measure and asked that the remarks of Representative Finnegan be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am against this bill. This bill is about increasing the size of containers under the current bottle law from 64 to 68 ounces.

"It should be noted that there is one good thing in the bill—an added provision that allows the Director of the Department of Health to temporarily suspend the extra one cent or one-and-a-half cent fee if the deposit beverage container special fund contains sufficient funds. That's a good thing.

"But the rest of the bill is unnecessary. Some Reasons:

It's another example of a regressive tax.

Reverse vending machines as currently made don't allow for 2-liter bottles and would need to be repurchased or retrofitted.

Passage of this bill and its effect on the amount of the litter involved, especially roadside litter or beach litter, is considered of "little impact" by the Department of Health.

And, finally, this will have an adverse on low-income families who try to get some economic advantage by purchasing larger packaging size, and we're taking that advantage away with this bill.

"For these reasons, I'll be voting no. I urge all my colleagues to vote no, as well."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1026, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Brower, Marumoto and Meyer voting no, and with Representative Cabanilla being excused.

Conf. Com. Rep. No. 113 and S.B. No. 1882, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1882, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. Just to say I'm really very happy to see the reinstitution of a Low Income Food Tax Credit. Just to let the folks know that we used to have an Excise Tax Credit and a Low Income Tax Credit, and these two have been sort of meshed together into one. It's not enough, but I'm very happy to see it here. Thank you very much."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 1882, SD2, HD1, CD1. This measure will grant much needed relief to low income individuals by expanding the current low-income refundable tax credit. Food is a basic need. We cannot sit back and watch some of our neediest citizens struggle to purchase food. The tax credit in this bill helps recognize the high cost of living and helps in mitigating this issue by giving these individuals much needed relief. Thank you, Mr. Speaker."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support of this measure, but with some serious reservations. I started this Legislative Session with high hopes for the working class families of our State and that there would be a strong, progressive, systemic changes to our tax system that would alleviate the tax burden on the working poor and the middle class throughout the State.

"There were many proposals from both sides of the aisle that were considered by this body. An Earned Income Tax Credit, the Low Income Refundable Tax Credit, inflation adjustments to the Standard Deduction, personal exemptions, and tax brackets, and income tax credit equal to the general excise tax assessed on gasoline, increases to the standard deduction, and elimination of the GET on certain food items. Some of these proposals rose to the top and others fell to the wayside. All part of the legislative process.

"While S.B. 1882 in its final form as a refundable food excise tax credit did come from of these initial proposals and while this measure does provide for some targeted relief for which I'm grateful, I have concerns with substance and procedure.

"On matters of substance, Mr. Speaker, this bill does not go far enough. Preliminary analysis of this bill by the Center for Budget and Policy Priorities shows that we will have done little to alleviate the tax burden on the poorest among us, and for families. For example, for single parent families of three at the poverty line, we will move from first worst in the nation to second worst in terms of State tax burden. For two parent families of four at the poverty line, we will move from second worst to seventh worst. And for two parent families of four, we move from third worst to ninth worst in terms of State tax burden.

"On matters of procedure, Mr. Speaker, my concern relates to how S.B. 1882 appeared at the eleventh hour in Conference Committee at the expense of another measure. That was both a part of the Senate Majority package and signed on to and introduced by all of the Majority in the House. This is, of course, on the Earned Income Tax Credit. Mr. Speaker, my concern about procedure is twofold. First, many advocates within the community strongly believed that we were going to act on the Earned Income Tax Credit. Energy was focused on that proposal. Again, while this measure, S.B. 1882, did move to the legislative process, it did not receive the kind of public debate that the other had received.

"For example, Mr. Speaker, the numbers that are given in the Food Income Tax Credit, the $85 for those earning under $5,000 or the $75, is that linked, my question would be, to what people are

spending and what the tax burden is for general excise tax on food? We don't know the answers to those questions.

"Mr. Speaker, it is no secret that I have been a strong supporter of the Earned Income Tax Credit all Session, because it is targeted tax relief that provides strong work incentives and provides asset building opportunities for those individuals and their families. I will not vote in opposition to this because I think that this measure does provide targeted tax relief, but I think we can do better. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. I think that this is a good first step to address the issue of excise tax on food items. This is not the only thing that the Legislature has done. We need to remind ourselves that last year, not only did we increase the Standard Deduction, but we also increased the widening of the brackets. That is something that taxpayers are taking advantage of right now. In fact, it started this January.

"Second, in looking at the bill in terms of what the prior speaker had said. The U.S. Department of Agriculture states the average household spends, if I'm not mistaken, about $1,500 per household on food items bought at the store. Again, this does not include food purchased at the restaurants or other means. We took a look at increasing that amount kind of based on some general inflationary numbers on food items, and came out with a range between $75 and $85 per household, in what people pay for taxes.

"Could we have done more? Yes. But I think, like we talked about in House Bill 500, the basic needs of the State, this will provide good targeted relief for the working families of Hawaii, again, not just for low income, but middle income families.

"I would also like to point out, and this is my own individual opinion on the Earned Income Tax Credit. I think it was one of those things that it is a good bill. We need to still take a look at it. At the same time, there are many programs, both in the budget and other bills, that address the issues of those in need. Whether we are going to talk about the $700 million we spend every year in human services programs, not including the federal match, to all the other programs in Medicare, Medicaid. I think that this overall budget and these various tax bills is a good step for Hawaii's people. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. First, Mr. Speaker, I'd like to thank the Representative from Kahala, Kaimuki who was with you and I back in mid-90s, Mr. Speaker, when we had to make the tough decision to repeal the Food Tax Credit to basically fund essential services in health care, education, elderly, and basic government services because of the recession we were in. And something that had really plagued me for the last 12 years since I've been in the State House. So, for me, this is an important measure to return to a promise, I guess, I made to myself about 12 years ago, Mr. Speaker. That should I have the opportunity and the ability to reinstate the Rental and the Food Tax Credit for the low income, then I'll do so. So, for me, Mr. Speaker, today is a day of reckoning with myself and my conscience to for what we did about 12 years ago during that recession.

"But, more important, Mr. Speaker, I think this measure, as mentioned by the previous speaker, allows us to expand the Low Income Tax Credit and combined with the Food Tax Credit, so we can start touching the lives of the middle income families, not only the low income families.

"And another point on this particular measure, Mr. Speaker, is that unlike the prior tax credit that we had in the '90s which applied to anyone regardless of income, this one is very focused and measured to those who really need it the most, the low income working families and the middle class families.

"You know, Mr. Speaker, I wish I had the luxury of espousing all kinds of tax measures and ideas and suggestions to address my constituents also. But I have the responsibility of looking at the numbers as they are before me and to take heed. And just so the body can know, I had a meeting this afternoon with Director Kawafuchi and he came me some very sobering information. He basically told me that given the current tax collection trends that we've been experiencing the last several months, he does not think, Mr. Speaker, we will reach the six percent Council on Revenue projections. We may not even get to four percent.

"He also suggested to me this afternoon, Mr. Speaker, that in order for us to even reach that point, we would have to generate 20% more taxes on the next two months than we did in 2006. It was very glum, but that's the reality, Mr. Speaker.

"I'm glad we're getting this measure out, Mr. Speaker because, hopefully, it'll stand against what the Governor and what this Legislature may have to do next year should the forecast remain as stated by the Director of DOTAX. Mr. Speaker, I have some written remarks. I'd like to ask for permission to submit them later," and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in strong support for Senate Bill No. 1882, Senate Draft 2, House Draft 1, Conference Draft 1, Relating to Taxation and submit these additional comments to the House Journal.

"This bill renames the current Low Income Refundable Tax Credit to the Refundable Food/Excise Tax Credit, provides additional income tax brackets that qualify for the tax credit, and increases the amounts of the tax credits for each bracket.

"Act 134, Session Laws of Hawaii 1995, reduced the food tax credit from a maximum of $55 to a single rate of $27 and repealed the general excise and medical services tax credits as part of a package to address the projected deficit in balancing the overall biennium budget. Act 157, Session Laws of Hawaii 1998, repealed the food tax credit and established a low income refundable tax credit which provides a maximum tax credit of $35 per a qualified exemption for taxpayers with adjusted gross income under $10,000.

"According to the latest tax credit report by the Department of Taxation, the low income tax credit was taken by 30.4% of the returns filed by individuals in tax year 2004. The credit amounted to $8.1 million in tax year 2004 and $8.3 million in tax year 2003. Senate Bill No. 1882, Conference Draft 1 with its expanded brackets will result in approximately 60% of the taxpayers receiving some benefit from these changes at revenue loss of approximately $ 31 million. Senate Bill No. 1882, Conference Draft 1 will provide a greater impact on addressing the regressivity of the general excise tax and at the same time providing more relief to those at the very bottom of the income scale.

"The 2005 - 2007 Tax Review Commission cautions against exempting health care services, food, apparel, or shelter from the general excise tax to address its regressive nature, but suggests "that if the Legislature finds it desirable to grant such tax relief on equity grounds, that it should pursue those goals either through low-income tax credits against income taxes or through the appropriation and expenditure process, which enhances transparency and accountability."

"For these reasons, I urge my colleagues to support this measure. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"I rise in support of the measure. While one confession deserves another, I, too, confess that I voted for the repeal of this. In the '90's, in fact, we not only raided this, we raided just about anything that had any money left, and we're still in pain because we've got unfunded mandates here, unfunded mandates there, and we're still not recovered from that. I really appreciate the frankness and the heartfelt confession from the Chair of Finance.

"However, Mr. Speaker, I think I have to go back to the words of the Representative from Makiki who said, Mr. Speaker, we can do better than this. I think that's what is a resounding underlying factor of this. Even though it's reinstated, it's small, we give a little, we feel good. But I think we're still damning with faint praise. Why don't we just get off the backs of the poor and get on with developing this State for its future. Every Session we've got promises that we don't keep. As I began my speaking in reservation against the budget, if we beat our chest and we claim to these people that we're going to help and we don't help them, and they come back every year. And we say again we're going to do it the next year.

"Mr. Speaker, we need the political will to do this and to finalize this. Right now, we still have one-third of our population dependent upon some kind of a government program, or subsidy, or financing to keep them above water. That is not a good sign. And we were reminded earlier today that only Alabama taxes its people as heavy as we do. That is not a good reputation. So, Mr. Speaker, we can do better. This is a good beginning and I think it great and I applaud it, but I think this should be a beginning for a momentum by which we can restore, educate, get the poor to be on their feet, to be independent so that we can get on with all the other development needs that this State has to do. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker and Members, I speak for the bill. I've been hearing a lot about that we should be doing more and I think we all want to do more. That's why we're here. We're here because we want to serve and we want to help those who cannot help themselves. That's why we're here.

"But if you compare us to the other states, that are ahead of us as far as providing less tax burden than we do, you need to look at the total picture. You compare apples and apples? Or apples and oranges? Most of the states, including Alabama, have other means of drawing income besides the normal taxes that they have. Also, as a state, we're very unique, in that we are responsible for the education budget. All the other states go through either the cities, Board of Education or the respective counties. We are responsible for education. We are responsible for all the district courts where none of the other states are responsible for the district courts. We are responsible for social services. Most of the other states have the cities or the counties running social services.

"So, when you begin to compare all these things, look at the burden that the State has relative to the other states in the nation, our burden is that much greater. So, inevitably, our taxes to maintain these services that we are providing, unlike the other states, need to be higher. So, if we want to change this, you need to look at other sources of income. Do we have other sources of income? And I'm not suggesting anything. I'm just saying be realistic. Do we want to delegate? Does the county want to pick it up? I don't think they have the capability. They did at one time. The counties ran the courts, the district court. The county ran the hospitals. The counties ran the school system as far as the buildings and repair. And they came to the State and they said, 'Please, take it over,' and we did. So the burden is with us. So, please, when you look at our taxation, look at what we have to do to arrive and save in order to serve the people. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In regards to CCR No. 113, it's been said that this is a good first step. But like the Finance Chair had mentioned, it's not guaranteed that we're going to have additional surplus money in the future. In fact, if it is true, then we are looking at a little gloomier expectation for the future.

"So, in regards to a good first step, I think the comment should more likely reflect that it's probably the only step. This is our chance to do a significant tax relief for the State of Hawaii, at least for the upcoming few years. So, in regards to we could have done better. I know that the budget was stretched to try and address many needs, but the State Constitution and all of the other language in the part about wanting to do what is right, which is return money to the taxpayers because of the type of collection."

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, in support and written comments in the Journal, but I just wanted to say that in many ways we have helped low income people by our investment in those people. For example, the Keiki Care bill that we just passed, and maintaining the social safety net. In a state like Alabama, I am sure, that is not as nearly as complete. So, I think we've really used our resources to invest in our people, in our school system, in our health system and in many other ways. Thank you."

Representative Lee's written remarks are as follows:

"I am in support. Mr. Speaker, this modest credit will go a long way in providing the most needy of our citizens some help with rising food costs.

"In general, I have not supported removal of the excise tax on food because much of our tax revenue is derived from the many meals and food stuffs purchased by tourists.

"However, this credit is fair and reasonable. I urge the Members' support."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support. I think it's more than a first step, Mr. Speaker, and when you look at what we did last year, we can all be proud of that. We did provide a significant tax relief. We have expanded the brackets by 20%, which resulted in $38 million in savings, which we benefit again this year, in fiscal year '07 - '08. And we increased the standard deduction by 40% of the federal level, which resulted in $10.8 million, almost $11 million, which we again can claim in the fiscal year '07 - '08.

"Now, you add the food tax credit, you add the forgiveness of the excise tax on gas, and you're looking at about $150 million worth of tax breaks to those on the 60%, or the lower end of the economic spectrum. These are all things we can be proud of and it's a continuing step. Things like EITC, which are strongly supported by members of this Caucus, and if money was no object, we would be looking at EITC today. But to imply somehow we don't support it or that we're not going to look at it in the future is not correct, and the hope is that through being fiscally responsible this year, that perhaps next year there will be funds to continue additional steps to address those who need the help the most, which is what we focused on this year. That you very much, Mr. Speaker."

Representative Ward rose to respond, stating:

"I rise with further comments, brief comments. Mr. Speaker, we are, in the first time in our history, people who are 40 years and older, more educated than our 25 year olds. We have students come out of our high schools, they go into the university. Sixty per cent of them have to take remedial math and English. My point of saying this is that when the Chair of Finance and I confessed that we had

taken away this tax credit, right now I bet you it's twice what it was before. But, yet, the poor among us we still have is the same numbers, or the same problems, or the same issues that we're doing previously. So, there's something we've got to do better, and I go back to what the Representative from Makiki said. Mr. Speaker this is the beginning, but we can do better. Thank you."

Representative Luke rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I do share some of the concerns that the Representative from Makiki brought up, and I'd like to request that written comments be inserted into the Journal," and the Chair "so ordered."

Representative Luke's written remarks are as follows:

"Mr. Speaker, I am in support of this bill but have some reservations. This Session, we had an incredible opportunity to help relieve some of the tax burden from our working families. However, most of this opportunity was wasted because we did not have the will or vision to push for more progressive tax reform.

"While a refundable Food/Excise Tax Credit is one small step in the right direction, we should have been more aggressive. Our record-low unemployment rate offset by the extremely high cost of living tells us that people are working, but they just cannot keep up. Why should these hard working families have to live by just scraping by each month? They deserve better.

"A more progressive solution would have been to pass a refundable State Earned Income Tax Credit (EITC). This is a proven mechanism for directing truly meaningful relief to those who need it most.

"Like with so many issues this Session, we stopped short of the finish line on meaningful tax relief. I hope in the future we will continue to push for more progressive initiatives that will benefit all the residents of our State. We owe it to them to do better. Thank you."

Representative Takai rose in support of the measure, asked that the remarks of Representative Belatti be entered in the Journal as his own, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in support of this bill with reservations.

"This Session we had an incredible opportunity to begin to lift the burden of our State taxes from the shoulders of Hawaii's workers who can least afford them. Following multiple years of a budget surplus due largely to taxpayers in this State, a lack of funding is not an issue that should stop meaningful, systemic change in our tax code to put the best interests of working people first.

"A refundable food/excise tax credit is one small step in the right direction. However, given the tremendous resources now available to the State and the increasing majority of families in Hawaii that find it harder and harder to get by each year, we could have been more aggressive. Hawaii continues to have a skyrocketing cost of living, yet record-low unemployment rates. People are working, but they just cannot keep up. Better long-term solutions are needed today to help the countless workers in Hawaii who are just scraping by.

"One such solution is a refundable State Earned Income Tax Credit that has been debated thoroughly in our community and heard in numerous legislative committees this year. While the Food/Excise Tax Credit is certainly admirable, the effectiveness of federal and State Earned Income Tax Credits in supporting work, alleviating child poverty, and encouraging asset-building among low-income families should have been given greater weight. As a legislative body, we are constantly asked to weigh policies against one another. In this instance, had our priorities been set out more openly from the beginning, we could have had a better solution for working families and for the community at large. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1882, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 50 ayes, and with Representative Cabanilla being excused.

At 6:31 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1402, SD 1, HD 1, CD 1
S.B. No. 896, SD 1, HD 2, CD 1
S.B. No. 880, SD 2, HD 2, CD 1
S.B. No. 1228, SD 1, HD 1, CD 1
S.B. No. 1026, SD 2, HD 3, CD 1
S.B. No. 1882, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 117 and S.B. No. 1672, SD 2, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1672, SD 2, HD 3, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose, stating:

"Yes, Mr. Speaker. I'm in support of this, Mr. Speaker, but I do have a question."

At 6:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:02 o'clock p.m.

Representative Finnegan continued, stating:

"Thank you, Mr. Speaker. I rise with reservations. You know what, Mr. Speaker? No reservations, but I do have some questions on this particular bill. I brought it up the last time that we had this on the Floor. Basically, the general fund amount for this should be more along the lines of being about $30,000 and currently it's about $16,000 that is appropriated in this bill. Did I say, 'million'? Sorry.

"Currently, it should cost about $30 million and there's $16 million appropriated in the bill. I don't know that once you've paid out the $16 million, or $8 million per year, that if we have to come back for an emergency appropriation? Or we just say first come, first serve and then after that we revert to an old schedule. So, I do have concerns about that.

"I think that what we're trying to accomplish in the bill is really good, but in regards to knowing the overall financial picture, understanding the budget, all of those types of things, that this comes into play. So, if it does it affect and we do end up asking for an emergency appropriation, Mr. Speaker, I think that it would be better if we planned and had the full amount in here. And then, as I mentioned before, that in 2008, we are scheduled to merge both the QUEST and Medicaid programs together, the fee for service programs with QUEST. So, those are my concerns."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1672, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 49 ayes, and with Representatives Bertram and Sagum being excused.

Conf. Com. Rep. No. 118 and S.B. No. 1676, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1676, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 49 ayes, and with Representatives Bertram and Sagum being excused.

Conf. Com. Rep. No. 120 and S.B. No. 1060, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1060, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to Senate Bill 1060, C.D. 1 regarding the workers' compensation law. There is one good feature about this measure and it will exempt small businesses from having to purchase workers' comp insurance, so that's a glimmer of hope. However, I think the rest of the bill will cost employers a lot more and I fear for the cost and availability of workers' comp insurance.

"We've received countless letters from employers in opposition to this bill, but I would just like to read one letter that I received, and it is from the owner of Foodland, a young woman named Jenai Wall, and she writes:

> I'm writing of behalf of Foodland Supermarket, Ltd., to express our company's strong objection to this bill, and urge you to veto it. As a locally owned company that has been serving Hawaii for the last 59 years, we believe Senate Bill 1060, CD 1 will seriously impact our ability to run our business.

And as we all know, Foodland employs a lot of our friends and family. I continue.

> Currently, an employer may require an independent medical examination, IME, if they feel that the injured worker has reached maximum medical improvement. Or, in other words, no further medical progress will be made. IMEs are one of the few tools an employer has to manage workers' compensation cases.

I'll skip a paragraph or two.

> As you know, Senate Bill 1060 seeks to change this process, the most burdensome of which would require mutual agreement between the employer and the employee on an IME physician. Mutual agreement can be difficult to achieve in situations where an employer is challenging the treatment rendered by a provider. Other proposed changes to the process include detailed and somewhat onerous experience requirements for those who would be allowed to perform an IME, and allowing the employee to bring their physician to the IME and make the employer pay for it. The latter proposal presumably would enable the treating provider to challenge the credentials of the IME physician and could be viewed as intimidation.

"I will just end it there. I would ask you to look at this bill quite carefully. It will increase referrals to vocational rehabilitation. It will increase cost. You will have to wait until there's a hearing and the Director of the Department of Labor must determine when maximum medical improvement is achieved. It will be very difficult for the employer to retrieve any reimbursement from excess medical care and this bill, I fear, will create more problems than it will solve. I urge your no vote. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm also rising in opposition to this measure. As the previous speaker said, there is one good section, but is overwhelmed by a host of bad and wasteful provisions.

"Some of the troublesome provisions are that the bill would allow an allegedly injured employee to unilaterally ignore a finding by the employer or the employer's insured that certain workers' comp medical treatments are no longer medically justified for the employee. The employer would be forced to continue paying for this unnecessary treatment until the Director of the Department of Labor and Industrial Relations issued an order to stop the treatment. Worse yet, even if the Director of DLIR ruled that medical treatments were medically unjustified, the wasted money would not be recovered from the worker unless actual fraud could be proven.

"Another troublesome provision is the current law allowing vocational rehab benefits for permanently disabled workers would be amended to include workers who are able to work at a reduced capacity, but who have not received a job offer from their old employer that offers them their old pay levels for this lesser level of work. That is, the employer would have to either pay an employee more money than their labor is worth or else pay for some costly rehab procedures that might not result in the worker being able to earn more money.

"Still another wasteful provision requires paying Temporary Total Disability payments even if the employer has determined that the employee is able to resume work if the employer can find any physician or chiropractor who will state that the employee is not ready to return to work. In essence, a chiropractor who has a vested financial interest in the employee not returning to work, could override the decision by a physician who went to medical school.

"Further, this provision says that even if an employee is able to return to work, they can keep getting this total disability payments anyway unless the old employer has made a bona fide offer of suitable work within the employee's medical restrictions. In other words, Mr. Speaker, the employer would be forced to either pay disability benefits to an employee who is not disabled or offer the employee a job even if they have no productive work available that the employee is capable of doing, instead of the employee simply finding another employer who does have productive work available which they can do.

"I could go on and on about the bad provisions in this bill. But in the interest of brevity, lets just say that this bill could be titled, 'the omnibus stick-it-to-the-employers and suck up to labor unions bill.' If you're looking to end our economic expansion and drive employers out of business and cost employees their jobs, this bill is a heck of a start. Thank you, Mr. Speaker."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of this omnibus workers' compensation bill. Let me point out all the good provisions in this measure. Section 1 is an alternative dispute resolution that was recommended by the Director of Labor. This is one of the Governor's package that tried to introduce rules when we didn't want it at the Legislature. I stuck it in here. We're sticking it in here because the Department of Labor and the Lingle Administration really wanted this provision. Labor didn't want it, but we put it in here anyway.

"Also, one good thing in here that we took out is the handcuff that we had on the Director. We took it out of here because the Lingle Administration didn't want it, so, that was one provision that we took out.

"Section 2, Rule Making. That one right there is according to Mr. Hardaway it's fine. It was just an omission.

"Section 3, Small Business Exemption. It's been very, very difficult to pass this provision. A lot of people don't like this provision because it does weaken the whole concept of a safety net for workers. But we put it in here because it's very, very important to the business community, and I think it makes sense in order to balance this bill.

"Section 4, Continuation of Medical Services. Now, most businesses who actually understand this bill, employers say, 'You know what? We want to take care of our workers.' This says that in those situations, where medical treatment is necessary to prevent further injury or degradation of the injured worker, then you continue it. It doesn't include things that are not necessary for the person. Plus, it has a 30 day window. How many treatments, how many doctor visits can you take within 30 days? Not much. So, really, this is not much of a benefit.

"Actually labor wanted a lot more, but we wanted to make sure this is a well-balanced bill going forward. And since this is the work of a Committee, this is what comes out, a lot of give and take. And that's why there was a lot of give from the labor, so that business can keep on taking. Or if you say business in this case, it's not really employers. Business in this case is the insurance companies. And I will get to that a little later when I explain the other provision that's really good for employers.

"In vocational rehabilitation and under the law, there's only a right to work, a right to return to your work. If you got injured and somehow you come back, the employer sometimes in a real situation, in real life scenarios, they don't want you back because you are liability. Because as you know, once an employer spends about $10,000 within three years, you will be considered high risk. High risk means you are about to pay triple your regular yearly premiums. It's just the way high risk is done. The high risk provider is HEMIC and I'll tell you about HEMIC a little later, too. So, vocational rehab here, I wasn't really in support of this, Mr. Speaker."

Representative Thielen rose, stating:

"Mr. Speaker, I think he's exceeded his time."

Representative Nakasone rose to yield his time, and the Chair, "so ordered."

Representative Sonson continued, stating:

"Thank you very much, Representative Nakasone. The vocational rehab provision in here is just to ensure that those individuals who are discriminated against in a very subtle way, which is, we don't have work for you. We don't want you anymore after 30 years of service. Because it could happen and it happens in real life. They are a liability to an employer so they rather not rehire them. So, in that case, Mr. Bob Dove crafted that very language that we stuck in here. Mr. Dove is, of course, the head of HEMIC, and he is Mr. Insurance in the State of Hawaii. And, so, he crafted that language and I hope that you could support that.

"Now, the next section that is really good is the IME provision. This provision is not new. Mutual consent is not new. If you look at our no-fault statute, we've been doing that for automobile. When there is a question regarding reasonable treatment and the insurance company says, we need to subject you to an IME, independent medical examination', the independent medical examination is chosen by both the insurance company and the claimant, in which case, there's no problem with that. Except if they don't agree, if they don't agree in the no-fault area, I'm not talking about this bill, this bill is much better. If they don't agree in the no-fault area, existing law in no-fault, what happens is you go directly to hearing. So what we did in the provisions under this bill, is we made it better so that if they don't agree within ten days, the Director can choose for them, so there's no lag time. We save money based on that.

"And why do I say the intent for this is to save money? Because let me tell you why. They may claim that they need this tool. But they claim a lot of other things. They say they need this to ensure there is no excessive treatment, and that the employee is not receiving too much benefits or medical treatment, treatments that are not necessary. That's a good way take a looking at why they want it. But we have to take a look at the record of what's going on.

"According to national standards, seventy per cent of all premiums are supposed to go to benefit people that are injured, workers that are injured. That's the national standard. Seventy per cent of premiums. Now, let's take a look at an example in the State of Hawaii. Oh, let's see, HEMIC. Since they post their financial statements on their website, it's accessible. In 2005, they collected from employers $87 million in premiums. Seventy per cent of that is approximately $60 million. That's how much they should give in benefits. And what the actual financial statement say, $20 million went for medical and TTDs, that's the temporary total disability, lost wages.

"Now, even if you add that together, it's only 36% for premiums. So where's the rest? The rest is in their pockets. And it's clear that it's in their pockets, and it should be in the employer's pockets. That's why this is a bill to help employers and employees. It is a well balanced bill. Let me also add that they spent in the same year $14 million in what we call IMEs in defense attorneys. Fourteen million dollars for that? Shouldn't we just have given that as benefits? It doesn't even come up to seventy percent.

"The next section that is good in here is the submission of treatment plans. Doctors always complain that there's too much paperwork and that's why this provision is there, in order to mitigate their complaints so that they can go on with their job of treating their patients.

"Now, Section 10, Annual Report. Here's a good one. This is very good for employers because this will break down what we call loss cost reporting. What is being currently reported to the Commissioner in order for the Commissioner to establish the rate, in order for them to get a rate set so that an insurance company can use this rate …"

Representative Lee rose to yield her time, and the Chair, "so ordered."

Representative Sonson continued, stating:

"Thank you for volunteering your five minutes. Thank you. I really appreciate it. I'm almost done. But there's so many good things in this that I really need to explain, because it is a comprehensive bill. And it is very difficult to understand.

"Again, the annual reporting that's been done is what we call loss cost. Right now, it's lumped all together so we really don't know how they set rates. But, my point is that this is requested by the Department. This Department wants clarification, too. It's good to have 'sunshine'. We need to know what is the reason why employers are paying so much in premiums. Employers are paying way too much premiums. But do you know why they are paying so much premiums? They don't know why. Because the Insurance Commissioner sets rates according to what we call, loss cost. But loss cost is not what we think it is. We thought, and I thought, prior to being the Labor Chair in which I have access to some information now. I got real smart. Well, not that smart. I got a little smarter because of the information provided. In loss cost, it's not actually what I thought it was. I thought loss cost was what the insurance company paid out to injured workers in benefits. But, no, it's not. And that is why we need to break that down because what is being reported to the Insurance Commissioner is a lump sum which actually lumps the benefits for injured employees and it also includes containment cost. In other words, when every time and each time that the employer, or in this case, insurance carrier, questions the kind of treatment that an injured worker is receiving from …"

Representative Cabanilla rose to yield her time, and the Chair, "so ordered."

Representative Sonson continued, stating:

"I'm trying to speak really quickly, but, then again, there are a lot of good provisions in this bill. We must not miss any of them. And that is why this is a cost savings if we understand that employers are, indeed, paying for IMEs and the use of IMEs. Some IMEs are making a million dollars not practicing medicine. They are practicing IMEs. IMEs are supposed to be independent. If they are not independent, we're trying to addressing that problem with this bill."

The Chair then stated:

"Would you like to summarize your remarks at this time, Representative Sonson?"

Representative Sonson continued, stating:

"I'm trying to make sure I don't miss any, but, yes. In summary, this is a very good bill. It brings sunshine. It really tried to bring peace between employer and worker, because if you ask the Chamber of Commerce, they care about their employees. And the number one priority is to take care of their employees. And that's what this bill is all about, to take care of employees. There is nothing here that will stick anything to the employer. We are probably sticking it to the insurance carrier, but that is another matter. So, thank you very much. I'm sorry it took so long to explain that."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1060, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW," passed Final Reading by a vote of 27 ayes to 22 noes, with Representatives Awana, Belatti, Berg, Brower, Ching, Evans, Finnegan, Green, Hanohano, Har, Marumoto, Meyer, Morita, Nishimoto, Pine, Saiki, Takai, Takamine, Takumi, Thielen, Tokioka and Ward voting no, and with Representatives Bertram and Sagum being excused.

Conf. Com. Rep. No. 126 and H.B. No. 436, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 436, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of this measure, Mr. Speaker, HB 436.

"Chiropractic as a distinct form of healthcare dates back in 1895 and is now practiced by more than 100 countries including the United States. Here in Hawaii, chiropractic is fast becoming a popular and effective alternative mode of treatment for patients. This measure which seeks to include chiropractic in the coverage of medical assistance programs such as Medicaid and QUEST, if enacted into law, will be another milestone in improving health care access to the people of Hawaii.

"It requires medical assistance programs such as QUEST and Medicaid to include chiropractic coverage.

"Hawaii will be the 31st state to include chiropractic coverage in healthcare plans.

"Thirty states offer some form of medical chiropractic benefit under a fee-for-service agreement.

"Twenty states extend coverage to those considered medically needy but who do not qualify for financial assistance."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 436, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Final Reading by a vote of 49 ayes, and with Representatives Bertram and Sagum being excused.

Conf. Com. Rep. No. 127 and H.B. No. 506, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 506, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Final Reading by a vote of 49 ayes, and with Representatives Bertram and Sagum being excused.

Conf. Com. Rep. No. 129 and H.B. No. 718, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 718, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Thank you."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in support of HB 718, SD2, CD1. The purpose of this bill is to ensure that children and their families have access to one of the State's most precious water resources – the fishing cove at Kewalo Basin.

"In addition, I am proud to support the Kewalo Keiki Fishing Conservancy, just like many others who spoke in support of this bill. During testimony, one grandfather spoke about taking his grandchildren fishing at this site. Fishing provides a safe and healthy environment for families. These are lifelong experiences that family members will share for generations. Such experiences are priceless. My hopes are that this conservancy is kept in its current place and for many generations to come. Thank you, Mr. Speaker."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I am in support of HB 718, Mr. Speaker.

"This measure will ensure our *keiki* have access to fishing and to be educated about our marine resources and Hawaiian culture.

"Background – This program will take a group of ten to a cove located at Kewalo Basin for their fishing excursion; and the group will consist of youth, the disabled (blind and deaf children and the mentally challenged – certified workers with them, pair up worker and program member) and our *kupuna* (this program will enable our disabled and *kupuna* the opportunity to experience fishing).

"Some of the organization that have been involved with this fine program: Cub Scouts, Girl Scouts, Adult Retardation Center, Tutu and Me traveling pre-school program, all have taken advantage of this fine program.

"Education and Conservation – 100% Tag and Release Program – Participate in a tag and release program – wherein they have already tagged and released over 17,500 fish and have a recovery rate of 35% or over 6,000 fish which have been recovered, since 2004; and this program has been endorsed by the Department of Land and Natural Resources, Aquatics Division. Recapture is statewide with fish caught as far as Kona, Molokai, Kauai, and Maui. This proves our fish completes channel crossing – valuable data as we first believed our fish would remain local (on the same island). All participants, *keiki*, disabled, and *kupuna* are directly involved in this program – providing empirical data for the State of Hawaii.

"Strong Family Component and Hawaiian Education – The program will teach parents how to fish and allow them to fish with their children or grandchildren (tying a knot – palamar knot, landing a fish, seasonal fish – A*kule* arrive in May and could stay as late as October – come in to spawn, the Needle Fish or *Ihe Ihe* are brought into the cove via the southwest winds from Kauai and this is in January and they will remain in or near the cove until March, *Owama* come in late August and remain until October, Squid move in year round and the cove is an ecosystem, thus, a haven for the smaller fish and the larger predatory fish drop by looking for a meal).

"The Hawaiians would reserve or close off the season (spawning season for certain fish), for example, January to March would be closed for Mullet (*ama ama*) because they are spawning and how a relation exist between the fish and the moon, tide, season of the year.

"Because of the ecosystem of the cove, we always have such fishes as *Palani*, *Weke*, *Kale*, *Uhu*, and *Papio*. They also do clean up projects to take discarded trash, tires, bikes, from the cove and shoreline area for proper disposal, thus, reconfirming the need for preservation of our natural resources.

"One of the most important aspects of the program is that it is not about money – 6 days a week, two classes a day, three hour excursions for these volunteers who do not get paid a single penny, but are providing this service wishing to help our youth, the disabled, and our *kupuna*, without expecting anything in return. Helping the people of Hawaii to better learn about the Hawaiian culture and to preserve our ocean resources.

"For the foregoing reasons, I ask our members to support HB 718. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am with strong reservations. I understand the purpose of this legislation is to give our young *keiki* a place to fish. I'm all for that.

"But here are some of my concerns:

Through this bill, the Legislature is now dictating to HCDA where and how it should put this so-called fishing conservancy.

HCDA is an authority that is supposed to be run by its Board of Directors, not the Legislature.

The Legislature has received little or no input from the fishing community.

Finally, there are questions about access to this site and the safety of this site that remain unanswered.

"For these and other reasons, I can't throw my whole support behind this bill despite its good intentions. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"In support. Thank you, Mr. Speaker. I just want to thank and congratulate Scotty Furushima for all his hard work on this bill. I think on Friday night he was limping out of the building, and it just shows how hard he worked. Thank you."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in strong support of this bill. As an island state, there are many cultural, recreational and historical values significant to Hawaii, but the ocean is our unique treasure and a most distinguishing source of recreation, healing, sustenance, and sport.

"Fishing, a practice passed on from generation to generation, is one of the Hawaii's greatest values. I recall my initial experiences fishing with a bamboo pole for *aholehole* at Kawela Bay. As I got older, we learned to fish with rod and reel and soon were "dunking" for *ulua* at Pupukea and Paumalu, or "whipping" for *papio* at Haleiwa or Waialua. Much of what I learned about shoreline fishing came from uncles Richard and Choko. But, more than mere technique and style, I learned about ocean conservation and customary Hawaiian fishing *kapu* and practice. Keep in mind Mr. Speaker, that this was in the 60s and 70s before environmentalism became vogue and conservation became a trend. These lessons have stood the test of time and remain relevant and instructive today.

"Today, however, it is not very common for many Oahu youngsters to experience the same "hands-on" fishing experiences that I had growing up. Many of my peers don't fish anymore and access to fishing areas are being curtailed by private shoreline development and unmonitored closure of fishing areas. It is my opinion that most people won't lift a finger to protect what they can't see, touch, or experience, and without fishermen and fisher-women, we may loose appreciation for fishing as a recreational activity, vocation, or cultural practice.

"Fortunately, the Kewalo Keiki Fishing Conservancy, a non-profit organization, provides "hands-on" education to children on proper fishing techniques for the conservation and preservation of fishing resources. Teachings are passed on from *kupuna* to youngsters to instill cultural principles in the generations to follow. Not only do children learn the simple pleasures of fishing, but also the Hawaiian cultural principles of *malama*, *aloha aina* and *kai*, and *aloha*.

"The Kewalo Keiki Fishing Conservancy provides a convenient venue and means for perpetuating proper fishing practices that is critical to the sustainability of aquatic resources for future generations. Exposing young people to the joy of fishing and the responsibility inherent in such activities ensures that future generations will protect and preserve this treasured activity and sport, and help to support fishing today so that future generations can ensure fish for tomorrow.

"Finally, I wish to acknowledge the one person whose tireless and boundless passion had much to do with the Legislature passing this measure. His name is Scotty Furushima. He is to be commended for this community activism as he exemplifies the notion that one person, with the right motivation and cause, can make a big difference in the lives of so many.

"For the aforementioned reasons, I strongly support the passage of this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 718, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Final Reading by a vote of 49 ayes, and with Representatives Bertram and Sagum being excused.

Conf. Com. Rep. No. 130 and H.B. No. 13, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 13, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 49 ayes, and with Representatives Bertram and Sagum being excused.

At 8:27 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1672, SD 2, HD 3, CD 1
S.B. No. 1676, SD 2, HD 1, CD 1
S.B. No. 1060, SD 1, HD 2, CD 1
H.B. No. 436, HD 1, SD 1, CD 1
H.B. No. 506, HD 1, SD 1, CD 1
H.B. No. 718, SD 2, CD 1
H.B. No. 13, HD 1, SD 1, CD 1

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2135) recommending that S.B. No. 1210, SD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1210, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Sagum being excused.

At 8:28 o'clock p.m., the Chair noted that S.B. No. 1210, SD 1, passed Third Reading.

Representatives Magaoay and Waters, for the Committee on Legislative Management and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 2136) recommending that H.R. No. 176, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committees be adopted, and that H.R. No. 176, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of Stand. Com. Rep. No. 2136. Mr. Speaker, this measure is what's left of House Bill 1909, the ethics bill, which led us to believe that we might have an Ethics Committee, we might have equal representation, and it might actually shape us up a bit in our behavior.

"What we have here is essentially the fourth morph if I can remember what HB No. 1909 was in the beginning. This one comes from the Republican Caucus and is a call for a resolution for a study by the Ethics Commission to see if we needed to set something up here in the House, that is on conduct, etc. Mr. Speaker, in my support, in my remarks by saying that in the hearing which you graciously testified, in fact probably the longest I've ever seen you in front of a Committee, 10 to 15 minutes as it was, you said you would be open to the possibility of equal Republican, as well as equal Democrat representation. And as we know in the U.S. Congress, the Senate has three Republicans, three Democrats. The Congress has four Republicans and four Democrats. I hope this taskforce that looks through this in the interim period will be equally represented and therefore more credible and more apt to be believed by the public. Thank you, Mr. Speaker."

Representative Luke rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. And the reason why I rise in opposition is because I believe that, we don't really need a taskforce to do what we need to do. We don't need a taskforce to figure out what we need to do as far as ethics is concerned. And I'm confident in that because my esteemed colleague, the good Majority Leader, has drafted what he believed would have been a good ethics bill. So I think he knows exactly what needs to be done and I have the confidence in him to figure it out without the taskforce. I know he was very confident in that he had to even call a press conference in the beginning of Session. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.R. No. 176, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING AN INTERIM HOUSE TASK FORCE TO EVALUATE THE PROPRIETY, MERITS, AND, IF FOUND, POSSIBLE PROCEDURES FOR A STANDARDS OF CONDUCT COMMITTEE TO HANDLE POTENTIAL CONFLICTS OF INTERESTS AND OTHER BREACHES OF THE STANDARDS OF CONDUCT BY MEMBERS OF THE HOUSE OF REPRESENTATIVES," was adopted, with Representative Luke voting no, and with Representatives Bertram and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2137) recommending that H.R. No. 153, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 153, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE OF REPRESENTATIVES COMMITTEE ON TRANSPORTATION TO CONVENE A HEARING WITH THE PARTICIPATION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND PERMITTING OF THE CITY AND COUNTY OF HONOLULU TO CONSIDER THE LIKELY IMPACTS ON TRAFFIC BY THE PROPOSED TURTLE BAY RESORT EXPANSION AND MITIGATIVE MEASURES THAT MAY BE REQUIRED BY THE EXPANSION," was adopted, with Representatives Bertram and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 2138) recommending that S.C.R. No. 160, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 160, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE REGULATION OF ENTITIES GOVERNED BY CHAPTER 514A OR 514B, HAWAII REVISED STATUTES, AND THE ENFORCEMENT OF POLICIES RELATING TO CONDOMINIUMS IN THE STATE THROUGH THE CREATION OF A CONDOMINIUM COMMISSION," was adopted, with Representatives Bertram and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2139) recommending that S.C.R. No. 91, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 91, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I would like to speak in support of this Resolution. I don't want to speak a long time, but it is an important part of the comprehensive approach to doing something about the trafficking problem, not only in our State, but internationally. And it's really important that we have an assessment of the needs of social service for the people who are trafficked here in Hawaii. I'm hoping that eventually with this Resolution and with a new anti-trafficking bill next year that we can finally solve the problem and get going on our anti-trafficking work. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING AN INTERNATIONAL NETWORK ADDRESSING DOMESTIC VIOLENCE AND SEX ASSAULT," was adopted, with Representatives Bertram and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2140) recommending that S.C.R. No. 137, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 137, be adopted, seconded by Representative B. Oshiro.

Representative Takai rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in support of this measure.

"One hundred years ago, the University of Hawaii was born. Far from the world-renowned 10-campus system we have today, it all humbly began in a small house on Young Street.

"On March 25, 1907, Territorial Governor George Carter signed Act 24, which established the College of Agriculture and Mechanic Arts.

"In 1908 there were 13 faculty teaching five freshmen and five preparatory students. Four years later, four students graduated from the College with two receiving science degrees, one receiving an agriculture degree and one receiving an engineering degree.

"Today, our University serves more than 50,000 students across Hawaii through our 10 main campuses across the state, through educational centers in West Oahu, West Hawaii, Maui, Molokai and Lanai, and via distance learning technologies through the Internet, two-way video or cable television.

"The University does much more than educate degree-seeking students. Each year, more than 75,000 people take non-credit courses, more than 33,000 people participate in university-sponsored conferences and training sessions, and nearly 130,000 people each year attend theatre, music and dance events at the University's four performing arts centers. And each year, nearly 700,000 people cheer on the UH athletic teams from Manoa and Hilo.

"There are more than 250,000 UH alumni residing in all 50 states and in more than 80 countries around the world. The Hawaii State Legislature proudly boasts 38 alumni in the House of Representatives and 15 alumni in the Senate.

"The centennial gives all of us an opportunity to reflect on the many contributions the University of Hawaii has made for the State of Hawaii and to each one of us. Members of the faculty have enriched our parents, our children and all of us. They and the University have been our mentors and innovators, creating educated, committed individuals that enhance Hawaii's work force and economy.

"Researchers at the University have made significant contributions of the world's body of knowledge.

"While the past 100 years have been truly worthy of praise, what I am most excited about is the future of the University of Hawaii. We have a unique opportunity and responsibility to shape the next 100 years.

"The Legislature over the past couple of decades has unleashed our firm grip on the University. We granted the University increased administrative and financial flexibility, culminating in the UH flexibility constitutional amendment passed by the voters in 2000.

"Those of us around during the 1995 Legislative Session recall a very painful downturn in the economy. The University suffered greatly during this economic recession. Another downturn will come. It's not a question of if it will come, but when it will come.

"We cannot afford to neglect our University in the future. Because of this, we call upon the leaders of this state to come together today to work with us to ensure the continued prosperity of our University. Working together with Rep. Jerry Chang and Sen. Norman Sakamoto, the two Chairs of our Higher Education Committees, we will develop a plan to address the new partnership and relationship between the taxpayers, the students (and future students) and the University.

"This commitment will boldly go where no one has ventured before. Should we, for example, fund the University based on outcomes and benchmarks, such as graduation rates and job placements? And should we fund the University based on its response to statewide needs and job shortage areas? And should we embark on a funding formula that prioritizes these outcomes and benchmarks?

"One hundred years from now, what will they be saying about the University? What will become of our University? Whatever it is, know that what we do today for and with the University of Hawaii does matter.

"This centennial celebration honoring the good deeds of our alma mater is only as good as our combined commitment to ensure a brighter, more productive, more profound and far-reaching second century. It's a commitment to a second century of promise.

"Each of us has our very own University of Hawaii story. For me, the University has made me what I am today. I have been tied to the University for more than 22 years – more than half of my life. As a recipient of a cherished college degree through an athletic scholarship from the University and a master's degree while working at the University of Hawaii, I owe much to our University.

"I love our University. I'm proud of my alma mater. Our university and the future students have my commitment to do our very best for our University of Hawaii.

"Here's to our commitment, The Second Century of Promise!

"Happy Birthday University of Hawaii!"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 137, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DESIGN A LONG-TERM COMPREHENSIVE FINANCIAL PLAN," was adopted, with Representatives Bertram and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2141) recommending that S.C.R. No. 178, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS ON PUBLIC EMPLOYEES AND EMPLOYERS AND TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO EXTEND ACT 245, SESSION LAWS OF HAWAII 2005," was adopted, with Representatives Bertram and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2142) recommending that S.C.R. No. 197, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 197, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO FORM PARTNERSHIPS WITH THE STATE AND PRIVATE SECTOR TO COVER HEALTHCARE INFRASTRUCTURE AND OVERHEAD COSTS FOR PRIMARY CARE AND SPECIALTY PHYSICIANS PRACTICING MEDICINE IN HAWAII'S RURAL AREAS," was adopted, with Representatives Bertram and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2143) recommending that S.C.R. No. 213, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 213, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO FUND BREAST CANCER AND CERVICAL CANCER SCREENING FOR LOW-INCOME WOMEN IN HAWAII," was adopted, with Representatives Bertram and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2144) recommending that S.C.R. No. 220, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 220, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STATEWIDE NEEDS ASSESSMENT OF NON-CITIZEN VICTIMS OF HUMAN TRAFFICKING," was adopted, with Representatives Bertram and Sagum being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2145) recommending that S.C.R. No. 24, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 24, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF SUBMERGED LANDS AT LAHAINA, MAUI, FOR DIVE SITE FOR COMMERCIAL SUBMARINE TOURS," was adopted, with Representatives Bertram and Sagum being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 2146) recommending that S.C.R. No. 25, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 25, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE SURFACE EASEMENT AT KAHALUU, NORTH KONA, HAWAII," was adopted, with Representatives Bertram and Sagum being excused.

CONFERENCE COMMITTEE REPORT

Conf. Com. Rep. No. 204 and S.C.R. No. 209, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 209, HD 1, CD 1, entitled: "A BILL FOR AN ACT REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR THE USE OF MEDICAL VIGILANCE SERVICES IN ACUTE CARE HOSPITALS," was adopted with Representatives Bertram and Sagum being excused.

At this time, the Chair announced:

"Members, at this time the Chair will call a short recess to circulate the Supplemental Calendar #2."

At 8:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:41 o'clock p.m.

SUPPLEMENTAL CALENDAR #2

GOVERNOR'S MESSAGES

The following messages from the Governor, (Gov. Msg. Nos. 373 and 374) were received and announced by the Clerk, and (Gov. Msg. Nos. 372, 326, 360, 332, 342, 363, 361, 369 and 356) previously received, were taken from the Clerk's desk and the following action taken:

Gov. Msg. No. 372, informing the House that on April 27, 2007, H.B. No. 10, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS" was vetoed.

Representative Caldwell moved to override the veto of H.B. No. 10, SD 1, as contained in Gov. Msg. No. 372, seconded by Representative B. Oshiro.

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 10, SD 1, entitled: " A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," as contained in Gov. Msg. 372, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 46: Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Pine, Rhoads, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 3: Finnegan, Meyer and Ward.

Excused: 2: Bertram and Sagum.

At 8:45 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 10, SD 1, as contained in Gov. Msg. No. 372, had carried.

Gov. Msg. No. 326, informing the House that on April 13, 2007, H.B. No. 853, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS" was vetoed.

Representative Caldwell moved to override the veto of H.B. No. 853, HD 2, as contained in Gov. Msg. No. 326, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to speak against the motion. Mr. Speaker, I'm in receipt of information from the General Contractors Association of Hawaii and before I go on with my remarks, I would like to disclose that my two sons are contractors and do ask whether or not that presents a conflict," and the Chair ruled "no conflict."

Representative Thielen continued, stating:

"Thank you. I'd like to also note that none of them are on this list of contractors that have written to me, so, I'm not speaking on behalf of them because they aren't one of the members of this group that has sent this in.

"The general contractors are saying that this is the most detrimental bill this Session to the construction industry and request that the Governor's veto be sustained. I'm just going to mention a few of the names because I'm sure that members here know people that work for these companies while the companies …"

The Chair then stated:

"Representative Thielen, would you like to insert those names in the Journal?"

Representative Thielen continued, stating:

"I'm only going to read six names and it will be quick. Albert Kobayashi, the General Contractors Labor Association, Harry Asato Painting, T. Iida Contracting, SNM, Sakamoto, Ralph Inouye, Keeno Farms Construction Company. These are just a few of the myriad of 50 names that are here.

"Specifically, they're saying that the bill is grossly unfair to the contractor who has numerous public works jobs going on at the same time. And the same violation, no matter how minor, and regardless of whether or not the violation was committed knowingly or not, it would be counted as multiple violations under this legislation. And then on the receipt of a third violation, a contractor would be precluded to performing any new public work construction for a three-year period. This would reduce the number of contractors available to the public works construction for these minor or inadvertent violations. And actually what it will do is it will affect the ability of this State and the counties to build, repair, rebuild and upgrade government roads and buildings when we knock these people off the list for three years.

"I think the bill is excessive in its scope and penalties, and I would suggest that we uphold the Governor's veto."

Representative Sonson rose to speak in support of the override, stating:

"Thank you very much, Mr. Speaker. In support. This is a very important measure. Prevailing wage requires employers to comply with wage requirements. Basically, the law says you have to pay prevailing wage. You should. Now, these construction companies have been in business for many, many years. They know what the law is. They know how to avoid penalties. This bill is merely to catch those who continue to evade the law both in letter and spirit. It is not draconian.

"If you look at it in light of the Director who is enforcing this, even if it is not a bundling like this one, there's really not that many that they investigate and there's not many that they cite. In fact, they take two years to do an investigation, for that matter. And maybe that's one those things we have to fix for next year. But this bill makes sure that those who are cheating, using the system, the way it is right now and cheating, will be caught.

"And with this, you can also be rest assured that those *de minimis* type of infractions, those are unfounded because the Department of Labor already has the authority through rules to look at those *de minimis* You know, those little minor errors that they are complaining about. Those don't exist because there is this discretionary power of the Director under their own rules.

"So, we are making too much of a big deal of this and it will continue to be a big problem out there if we don't correct it. Thank you, Mr. Speaker."

Representative Pine rose to speak in opposition to the override, stating:

"Yes, in opposition. The previous speaker talked about these contractors that have been in business for a long time and they should not be making these mistakes. Well, Mr. Speaker, 'Thou who has not sinned should throw the first stone.' We just amended about 10 to 11 bills because we made mistakes. And many people in this House who have been here for so many years, and they should know not to make those mistakes. But we are all human. These contractors are human. And to have the punishments of saying you can never step foot on this type of contract again, is just wrong."

Representative Marumoto rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. The Representative from Kailua gave my speech and she was in opposition, and I, too, am also in opposition. But I have the same pack of testimony and the same list of contractors in opposition to this.

"This is a three strikes bill. If you're out, you're out for three years. You're debarred and that is a serious consequence. The Chair of the Labor Committee said the Department of Labor will overlook *de minimis* errors and I have an article here written by the head of the Building Industry Association who said no matter how small the error, it becomes a violation and the same classification may occur more than once until the error is identified. Sometimes the books are checked over, maybe two years after a job and at the time the contractor may be working on other State and county jobs. But if there is a violation found, then all work must stop immediately and all the projects must be rebid.

"This is just too drastic a law. I urge all of you to vote no because this is not a sane law. We will be the laughing stock if we pass it. Thank you."

Representative Caldwell rose to speak in support of the override, stating:

"Mr. Speaker, in support. We've heard a lot of discussion tonight about the contractors. But what's missing from this equation are the workers, and that's what we're talking about here. We're talking about paying a prevailing wage to the men and women of our State who work in the construction industry, and it's an important requirement.

"We talk a lot about affordability. We've heard the Governor talk about it. And this how we can help the people of our State afford to

live here by making sure they are paid a prevailing wage on government contracts. And what we have here is the situation where people can do multiple violations, they bundle them together as one violation. We're de-linking that. It is true, it is a three strikes bill. We've heard a lot from the Administration about three strikes on criminal issues. We passed legislation along those lines. And now we're going to do it for while-collar violations. It's something we need to do in order to honor the hard working men and women of our State.

"When you think about it, Mr. Speaker, and you look at the impact for people who fail to pay prevailing wages, and we have statistics from the Department of Labor going back for years, and these are only the ones that have been investigated. But, for example, in the year 2004, $401,000 worth of wages were not paid to workers. In some cases, thousands upon thousands of dollars were not paid to workers. These people when they were not paid, could not pay their mortgages, could not pay their rent, could not buy food for their families. That's what we're talking about. And we forget about that aspect of it.

"Mr. Speaker, it is absolutely true that the Department of Labor looks at errors *de minimis*, and we believe just like in the investigations conducted up to this point, that they are not going to investigate *de minimis* violations, but they are going to crack down and make sure, for example, in 2004, that $400,000 worth of additional wages are paid to the hard working men and women.

"This is a good bill, we should override the veto, and we should be strong on white-collar violations just as we are on criminal violations. Thank you very much, Mr. Speaker."

Representative Pine rose to respond, stating:

"Yes, Mr. Speaker. Just in rebuttal. I think, especially when you come from a working family, where every member of my family is a member of a union. I do sympathize with the workers and my problem with the bill is that we'll punish a particular contractor that happens to make the same mistakes on three projects going on at the same time, really believing that what they're doing is right. To me, the right way is you punish them for that one time and then, you know, because then we know that they know that that is a serious violation, and then you start counting. But if it is the same mistake on three projects going on at the same time and for some reason they don't know that that's wrong, then in one fell swoop, they will never be able to do a contract for many years to come. And that's my objection."

At 8:55 o'clock p.m., Representative Magaoay requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:01 o'clock p.m.

Representative Thielen rose to respond, stating:

"Thank you. Mr. Speaker, I just wanted to respond to the Majority Leader and just mention that when an inadvertent minor violation occurs, the bill doesn't distinguish between that. So those employees are going to be in great shape for three years. They won't have jobs."

Representative Meyer rose to speak in opposition to the override, stating

"Thank you, Mr. Speaker. I'm against the override. The current law is a mandatory progressive penalty structure. It allows firms to correct errors as soon as identified and ensures that the Department of Labor is able to work with contractors to provide fair wages. The problem with this new law is that it's such a complex law and imposes many difficulties to construction companies. This result is too harsh. This fails to take into account the severity and the willfulness of the contractor in committing a violation.

"The Majority Leader talked about $400,000 of wages that weren't paid. I'm sure they were paid. They may not have been paid and that's accumulative thing of many hundreds and thousands of construction workers in a billion dollar industry. There are more problems with this bill changing from issuing violations based on investigations, to issuing violations based on projects could result in potential litigation. This also could have the effect of diminishing the amount of contractors who would be available to bid on a project which could raise the cost of all kinds of construction. This will result in higher cost for public works projects. This will slow down the State's ability to fund and execute construction and repair of highways, schools, parks, harbors and many other projects.

"I would hope that there are enough reasonable people in this Chamber that will vote against this override. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. Against the override. I just wanted to make clear that it is because of the worker, in my opinion, when you have a construction company and construction workers, it's an interdependent relationship. Basically, the worker needs the construction company and the construction company needs the workers. When you have something like this that are minor infractions and then the contractor is precluded from performing any new project work construction for a three year period, that's serious. We want them to be able to continue to work and we want them to be able to work this out.

"Mr. Speaker, it was mentioned about this three strikes law. I believe the Majority Leader voted against the three strike law that had, basically, much harm in regards to people that would do these types of things to get into the three strikes. But yet, for minor infractions, he's willing to have a construction company be precluded from performing any new public work for three years with the possibility of not having good paying jobs for these employees. I don't think that that's consistent. Thank you."

Representative Sonson rose to speak in support of the override, stating:

"Just to recap. I did vote for the three strikes law and I'm still in support of this. I did have conversations with a lot of the opponents of this measure, and, really, I tried to ask them what is their thinking. What is *de minimis*? What is this minor? They could not give me that answer. I asked is $500 a minor infraction? And they said, 'Oh, I don't want to give a number.' All they say is, and it is repeated throughout, that if one clerk makes a mistake in one job, it could possibly maybe make mistake in the second and third job.

"Again, if it is a minor infraction, it is not going to be something that's going to be enforced the way that you think it's going to be. There will be minor violations out there that the jurisdiction of DLIR Director has and that they will ensure that those *de minimis* infractions, however they interpret it, will protect the employers in this particular case. Thank you."

At 9:06 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:07 o'clock p.m.

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 853, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS" as contained in Gov. Msg. 326, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 38: Belatti, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 11: Awana, Ching, Evans, Finnegan, Har, Marumoto, McKelvey, Meyer, Pine, Thielen, and Ward.

Excused: 2: Berg and Bertram.

At 9:09 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 853, HD 2, as contained in Gov. Msg. No. 326, had carried.

Gov. Msg. No. 373, informing the House that on May 1, 2007, H.B. No. 854, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES" was vetoed with her statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 854

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 854, entitled "A Bill for an Act Relating to Continued Temporary Total Disability Benefits to Injured Employees."

This bill allows the continuation of temporary total disability (TTD) benefits until the Director of Labor and Industrial Relations (Director) issues a decision terminating the benefits or until the employee's treating physician determines that the employee is able to resume work and the employer has made a bona fide offer of work within the employee's medical restrictions.

Currently, pursuant to section 386-31(b), Hawaii Revised Statutes, an employer/insurance carrier (employer) may terminate TTD benefits upon order of the Director or if an employee is able to return to work. The existing law provides that an employer must notify the employee and the Director of its intent to terminate TTD benefits at least two weeks prior to the date when the last payment is to be made. Section 386-31(b) also requires the notice to inform the employee that the employee may make a written request to the Director for a hearing if the employee disagrees with the employer's decision to terminate TTD benefits. Current law protects against unwarranted early termination of benefits by allowing the Labor Director to assess a twenty percent penalty against an employer who fails to continue paying an injured worker.

While I support the intent to ensure that injured workers collecting TTD benefits receive their benefits in a timely manner while preventing employers from unreasonably denying or delaying payment of TTD benefits, this bill is objectionable for the following reasons:

(1) It does not recognize that the twenty percent penalty already deters employers from terminating TTD benefits unless there is a valid and good faith basis to do so.

(2) Although this bill entitles an employer to a credit, any credit is limited to the amount paid to the employee after notification by the Director of the Director's determination. Any benefits paid prior to the decision of the Director are specifically not recoverable by the employer. Because most employers will immediately terminate benefits once they receive notice of the Director's decision, the period of credit allowed by the bill is an extremely short period of time, and more importantly, specifically excludes the period in which the employee collected benefits to which the employee was not entitled. In other words, even if the Director determines that TTD benefits should have been terminated at some prior date, an employer would not be entitled to a credit nor would it be allowed to recover any of the TTD benefits paid prior to the decision of the Director, thereby allowing a employee to retain benefits to which the employee was not entitled.

(3) The bill would needlessly increase the costs of workers' compensation claims and would also create a disincentive to return to work. More specifically, it may encourage certain employees to continue to contest returning to work because even if the Director determines the employee should and could have returned to work, the employee bears no risk for failing to do so, as the benefits the employee was paid are non-recoverable by the employer.

(4) It provides a process for an employee, but not an employer, to request a hearing. Pursuant to this bill, an employer cannot terminate TTD benefits unless the Director orders the termination of benefits or the employee's treating physician determines that the employee is able to resume work and the employer has made a bona fide offer of work within the employee's medical restrictions. The bill, however, does not provide a specific process for the employer to request a hearing, establishing inequitable treatment of the employer versus the employee through this provision.

(5) Finally, this bill establishes disincentives for an employee to return to work within a reasonable time since their wage benefits continue as long as they stay away from their job and their treating medical provider allows them to do so. Since the employee must initiate the request for a Department of Labor and Industrial Relations hearing, the bill is silent as to what happens if the employee fails to request a hearing.

For the foregoing reasons, I am returning House Bill No. 854 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Representative Caldwell moved to override the veto of H.B. No. 854, HD 1, SD 1, as contained in Gov. Msg. No. 373, seconded by Representative B. Oshiro.

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 854, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES" as contained in Gov. Msg. 373, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 43: Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Finnegan, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Souki, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 6: Ching, Har, Marumoto, Meyer, Pine and Ward.

Excused: 2: Bertram and Sonson.

At 9:12 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 854, HD 1, SD 1, as contained in Gov. Msg. No. 373, had carried.

Gov. Msg. No. 374, informing the House that on May 1, 2007, H.B. No. 861, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS" was vetoed with her statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 861

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 861, entitled "A Bill for an Act Relating to Public Works."

The purposes of this bill are as follows: (1) to require that public work projects financed through the issuance of special purpose revenue bonds (SPRBs) are reported by the Director of Finance to the Department of Labor and Industrial Relations (DLIR); (2) to require the DLIR to monitor projects where there is no governmental contracting agency for compliance with chapter 104, Hawaii Revised Statutes (H.R.S.), Hawaii's Wages and Hours of Employees on Public Works Law; 3) to make chapter 104, H.R.S., applicable to housing developed by the Hawaii Housing Finance and Development Corporation pursuant to chapter 201H, H.R.S.; and (4) to provide that, when a SPRB project party enters into a collective bargaining agreement with a bona fide labor union governing the project party's workforce, the wages and terms provided by that collective bargaining agreement be deemed the prevailing wage and terms for that project party's work force on the public work construction project.

SPRBs are used to build hospitals, schools, early childhood education centers, utilities, housing projects, and related works deemed to be in the best interests of the general public. Often it is non-profit organizations that seek SPRBs to finance a new structure. This funding tool is used to lower interest costs of the financing for such projects. No taxpayer funds are used and taxpayers are not responsible for a default on the bonds.

Subjecting these projects to the administrative burdens in Chapter 104 runs counter to the intent and spirit of using SPRBs to help reduce expenses incurred by strictly private and non-profit entities and may actually act as a deterrent to using this financing mechanism and decrease the number of projects on behalf of the general community.

In 2003, the Attorney General's office opined that SPRB projects are public works projects as defined under Section 104-2(a) HRS and are subject to prevailing wage provisions. However, Chapter 104 requires that the public work is to be performed by a contracting government agency that oversees the work and holds the appropriated funds. However, with SPRBs, funds go directly from the lending institution to the entity building the project and no government agency oversees the work.

This bill attempts to remedy this problem by requiring the Department of Labor and Industrial Relations to act like the governmental contracting agency. However, the Department has no authority to oversee the work of a SPRB project nor would it be able to withhold funds should the non-profit or firm building the SPRB-financed project violate Chapter 104.

Furthermore, this bill specifies when an employer has entered into a collective bargaining agreement with a labor union, the terms of that agreement will be the prevailing wages on that project. This provision has the potential to create a different prevailing wage for each project and would negate current law requiring a single prevailing wage. This provision could also result in a conflict with Section 104-2(b)(2) which requires Hawaii's prevailing wages paid to workers to not be lower than the federal rates for Hawaii.

Additionally, this bill would place enforcement and monitoring functions on the Department of Labor and Industrial Relations without the commensurate resources to carry out these duties.

For the foregoing reasons, I am returning House Bill No. 861 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Representative Caldwell moved to override the veto of H.B. No. 861, HD 1, SD 1, as contained in Gov. Msg. No. 374, seconded by Representative B. Oshiro.

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 861, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS" as contained in Gov. Msg. 374, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 42: Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 8: Awana, Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

Excused: 1: Bertram.

At 9:15 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 861, HD 1, SD 1, as contained in Gov. Msg. No. 374, had carried.

Gov. Msg. No. 360, informing the House that on April 24, 2007, H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS" was vetoed.

Representative Caldwell moved to override the veto of H.B. No. 863, HD 1, as contained in Gov. Msg. No. 360, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the override, stating:

"Mr. Speaker, I'm going to be voting no on this. This measure establishes and requires that a construction contract between private parties is a public work contract if more than 50% of the assignable square footage of a project is leased or assigned for use by any level of government, whether or not the property is privately owned. Construction project owners to sign a lease or other agreement that complies with State prevailing wage law, and copies of the lease agreement to be filed with the Department of Labor and DAGS. I just want to highlight a few points.

"This bill attempts to rewrite Administrative Rules and disregards primary purpose of Chapter 104. Currently, public works projects are classified based on contracts created after approval of plans, specifications and criteria leasing to governmental entities. Prevailing wages designed to benefit the public by using appropriate funding is a secondary public benefit byproduct of such contracts. As such, this measure disregards the primary and underlying purpose to safeguard public funds in one sweeping underdeveloped bill. This is like the tail wagging the dog.

"This measure is designed to regulate failure to pay established prevailing wages in construction projects which simply do not benefit the public. This measure will force private construction companies to bid at higher amounts in order to afford prevailing wages and ultimately the State pays the bill. This measure will have exponential unintended consequences, including unauthorized access to payroll information for regulating whether prevailing wages have been paid. This measure has conflicting underlying purposes and simply is confusing because it does not address real and likely negative consequences. Thank you very much."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS" as contained in Gov. Msg. 360, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 46: Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Finnegan, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Pine, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Thielen, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 4: Ching, Marumoto, Meyer and Ward.

Excused: 1: Bertram.

At 9:20 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 863, HD 1, as contained in Gov. Msg. No. 360, had carried.

Gov. Msg. No. 332, informing the House that on April 16, 2007, H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES" was vetoed.

Representative Caldwell moved to override the veto of H.B. No. 1672, as contained in Gov. Msg. No. 332, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. This is a bill that is going to increase the maximum salaries of the Deputy Auditor, the First Assistant to the Ombudsman, and the First Assistant to the Director of the Legislative Reference Bureau. These are similar to Deputy Directors of various State departments.

"The formula they use is that the Deputies will now get 92% of what their boss gets. As the Governor said in her veto message, she found that this was not acceptable. In the situation with the Legislative Reference Bureau, the Assistant's salary would go from $90,500 to $97,600. That's an amount that's more than the Director of the Department of DLNR, who has just recently lost his job. I don't think you would say that the Ombudsman's Office, the number of people they have to manage and the kind of work they have to do, comes anywhere near running a department the size of DLNR.

"I know that the people that work in these departments and work here for us much of the time work hard, they do a great job, but I think we have to look at the balance of things. It's hard to justify that kind of an increase. The Chairman of Finance on the Floor just a little while ago was concerned about the fact that our economy is not growing at such a robust state as it has been, and the tax revenues have dropped.

"So, I think we have to be realistic. It's nice to play Santa Claus, but none of it is money out of our pockets. It's taxpayers in the State of Hawaii. They are somewhat beleaguered. We are an island state, which makes everything cost more. And I think that this is out of line and I think that the Governor is appropriate in having sent this bill back. And I think we should all sit back and think twice about what we are about to do. Thank you."

Representative Thielen rose to speak in opposition to the override, stating:

"Thank you. Mr. Speaker, I wanted to just add to what my colleague just stated. I'm opposing the override of the Governor's veto. Mr. Speaker, in her veto message, she's noting that this bill, under this bill, the First Assistant to the Ombudsman will get $97,631 starting July 1 in 2007, under this bill.

"When you take a look at the Chairman of the Public Utilities Commission, the Chairman makes $81,000. The Chairman's responsible for a huge effort by this State to reduce global warming, our footprint in global warming, to manage all of the other entities, utilities, and everything else that's under his purview. I just don't see how it's justified to give this increase for a First Assistant to the Ombudsman who only supervises eight investigators and give that person $97,000 and a Public Utilities Commission Chair is getting $81,000. I mean something's totally out of whack here.

"I think that we should support the Governor's veto, take a look at this, and if anything is done with money that will be available next year, I would say the PUC Chairman and the Public Utilities Commissioners, who have a huge amount of work to do, their salaries should be looked at and increased, provided, that the Finance Chair finds that we have the money available to do that. This is spendthrift and we should not override the Governor's veto."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 1672, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SERVICE AGENCIES" as contained in Gov. Msg. 332, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 43: Belatti, Berg, Brower, Caldwell, Carroll, Chang, Ching, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 7: Awana, Cabanilla, Finnegan, Meyer, Pine, Thielen and Ward.

Excused: 1: Bertram.

At 9:29 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 1672, as contained in Gov. Msg. No. 332, had carried.

At 9:29 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:29 o'clock p.m.

Gov. Msg. No. 342, informing the House that on April 18, 2007, S.B. No. 14, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII" was vetoed.

Representative Caldwell moved to override the veto of S.B. No. 14, SD 1, HD 1, as contained in Gov. Msg. No. 332, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this attempt to overturn the Governor's veto. This bill is the vehicle to implement the Constitutional Amendment approved by the voters in 2006. The language on the ballots simply asked, 'Shall the Governor be required to select Board of Regents candidates from a pool of qualified candidates screened and proposed by a Candidate Advisory Council for the Board of Regents of the University of Hawaii as provided by law?' It doesn't say what that advisory council is going to be, who will be on it, how many people, who will name them. None of those things.

"This bill establishes a seven member Candidate Advisory Council and exempts that council from open meeting provisions from Chapter 92, the Sunshine Law. It also increases from 12 to 15, the number of University of Hawaii Regents and establishes geographic criteria, and that's new, for 12 of the Regent positions.

"The bill contradicts what public citizen trusteeship should be. The membership on the Board of Regents says it is vital that we find people who are independent in their individual and collective judgment and who serve the people of Hawaii, not one group or another.

"This bill would act as a roadblock to this need by establishing a narrowly focused constituency-based selection council, with each member appointed by separate interest, those being one member, each appointed by: one, the Governor; two, the Speaker of the House; three, the Senate President; four, All Campus Council and faculty Senate Chairs; five, the Executive Council of the University of Hawaii Student Caucus; six, the Association of Regents Emeritus; and, seven, the President of the Alumni Association.

"What's worse is the Board can recommend only two names to fill a vacancy on the Board of Regents, further contributing to the partisan and narrow focus of potential Regent candidates greatly reducing the Governor's ability to choose qualified individuals. The Association of Governing Boards of the Universities and Colleges, the Western Association of Schools and Colleges, and the Accrediting Commission of Community and Junior Colleges have each pointed out that this bill runs counter to national best practices in university governance.

"I'm not going to go through it all. I'm speaking to you folks here that know what's in it, and we argued at length from the Floor, but it's hard to justify that we would want to have such narrow membership and not open it up to the widest pool possible and pick the brightest people we could possibly have on there rather than dictating what the various membership should be. So, I'm hoping that people will have a second go at this and realize that this is not the best way to go. Thank you, Mr. Speaker."

Representative Chang rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. In support. Senate Bill 14, S.D. 1, H.D. 1 is a strong, all-encompassing bill that improves public policy in how we select University Regents. The bill also reflects what the people of Hawaii voted for overwhelmingly in the last election, a selection process that aims to minimize politics and opens the field so that the best qualified candidates are chosen to serve our University.

"The University of Hawaii Board of Regents is one of the most important boards in the State. They have the opportunity to influence the future of Hawaii through higher education and it's important that we get the best qualified people to serve. By having representatives from various geographic regions of the State makes sense since we will be developing a pool of candidates from different backgrounds and perspectives. They will know what the students in their district need from a university education.

"And having representatives appointed by different constituencies within the University System also makes sense because they all have a vested interest in seeing that the University succeeds. It does not necessarily mean that they will serve only those groups, but would come to the Council with a wide variety of experiences and an appreciation of the full spectrum of concerns and opportunities that face our University System.

"In 2004, the Association of Governing Boards of Universities and Colleges, the AGB, recommended to the Governor, as well as to all the other governors of the 50 states, the creation of a nonpartisan Advisory Council to help select Board of Regents candidates. The Governor could have simply created such a Council with a stroke of the pen by Executive Order as did governors of several other states and appoint all the members of the Council. The Governor chose not to do so. The Legislature did follow the AGB's recommendation and drafted Senate Bill 14.

"In a letter dated February 12, 2004 to Senator Hooser from Richard Novak from the Association Governing Boards of Universities and Colleges, who is the Vice President for Public Sector Programs and Executive Director for Center for Public Trusteeship and Governance, Mr. Novak wrote:

> Dear Senator: We read about your bill to create guidelines for appointments and a screening nominating committee for the University of Hawaii Board of Regents. Your efforts are to be commended and supported. As a national group for Board of Trustees and Regents, the Association of Governing Boards of Universities and Colleges had advocated for this approach for nearly two decades and have worked successfully with states to see such committees enacted. Please see the enclosed state policy brief produced by the Center for Public Trusteeship and Governance. The brief makes a strong case for such committees and will give you a sense of their status in a few other states. We have also distributed the brief and communicated these ideas to the Regents directly and to Governor Linda Lingle and her Education Advisor, Randy Roth.

"Senate Bill 14 encompasses the recommendations of the AGB contained in this letter addressed to Senator Hooser. As stated in this letter, the same recommendations were communicated at the time to the Board of Regents as well as to Governor Lingle and Advisor Randy Roth.

"In a letter to Senator Colleen Hanabusa from the Secretary of Education of the Commonwealth of Virginia dated March 2, 2004, the Screening Committee in Virginia was described as containing specific designated slots for its members. This was also the case for the State of North Dakota as stated in his testimony before the Senate on March 2, 2004. Governor Lingle chose to ignore these recommendations of the AGB at that time, nor did she follow the example of some of her then distinguished colleagues, namely, former Democrat Governor Mark Warner of Virginia and former Republican Governor Mitt Romney of Massachusetts. Instead, she chose not to establish a Regents screening panel by Executive Order as was done in those states. The inconvenient truth …"

Representative McKelvey rose to yield his time, and the Chair, "so ordered."

Representative Chang continued, stating:

"Thank you. The inconvenient truth in this matter is that the UH Administration and the Governor want to maintain the status quo. The AGB has for many years advocated screening panels for merit-based Regent selection systems and has only recently objected to constituency-based screening panels at this specific request of the UH Administration, while apparently not objecting to such constituency-based panels in Virginia and North Dakota. The AGB's objection at this time to the constituency-based screening panel in Senate Bill 14 is based on the erroneous theory that such panels always and inevitably result in constituency-based governing boards.

"By having this bill stated, the Governor wants to maintain her own power and control the appointees of the Board of Regents. That's not what is best for the future of higher education in Hawaii. And I urge my colleagues to vote to override the veto. Thank you."

Representative Ward rose to speak in opposition to the override, stating:

"Mr. Speaker, I rise to not override the veto. Mr. Speaker, one thing that's missing in the argument here is that no one has been against the Advisory Councils. It's who and how they are appointed. That is the issue here. It is not what the people voted for. The people voted for to have the Council. Correct. And the Councils are there. But the vote was silent on how those Council persons are chosen.

"What the AGB, Associated Governing Board said, and I have the article here by the President of the University of Hawaii, David McLain. They said don't politicize the University of Hawaii. And that's exactly what this bill is doing and exactly what they say not to do. Get your Advisory Board, but don't have it all politically chosen, as he called it, constituencies. And, Mr. Speaker, that's what we're falling into. We have a great University. We've given it autonomy. We've given it lots of money. But now what we're doing is politicizing it and thinking that we're making it better.

"As the quote here, it says, 'Senate Bill 14 does not represent real reform, as Senator Norman Sakamoto would have it, but rather another example of questionable practices endorsed by our Legislature.' Mr. Speaker, the question is are we trying to make it better or just trying to make it ours so it's something that the Governor has no longer the power to regulate, to embrace, to do as in the past, which we were here in this body, a hundred years of celebrating the University of Hawaii, have said, 'Great job. But by the way, we are going to restructure you, and this is the bill of how we're going to do it.' I'm not sure that's the way we make it better.

"That's why I would suggest to my colleagues that they look at the future of the University of Hawaii and the future of this bill, by not overriding the veto."

Representative Caldwell rose to speak in support of the override, stating:

"Mr. Speaker, a brief comment in support. The last time I looked, the Governor was the top political official, elected official in our State. This Governor gets, whether the Democrat or Republican gets to pick all the Board of Regents, there can't be a more political process than we currently have. What we're looking at is a way to get politics out of this system.

"And it's much like our Judicial Selection Commission that we adopted back in 1978 in response to things that Governor Burns did. That Commission is composed of different kinds of constituencies, including you, Mr. Speaker, appoints a member. The President of the Senate appoints a member. The Bar appoints a member, other constituents appoint members. No one complains how that Commission makes its decision and it sends up its recommendation. For example, we saw Mark Recktenwald be recommended by that commission, and he was confirmed by the Senate and just sworn in yesterday. It works, and the Regents Selection Commission works in much the same way. Thank you."

Representative Takai rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I rise in support of the override. I just wanted to make a few points because I know we've already discussed this ten zillion times. But first, I'd like to incorporate the words of the Higher Ed Chair as if they were my own.

"I think it's been said but it needs to be repeated that the way we currently select our Regents, letting the Governor select her Regents for the University, is the most political of any way. This bill proposes to do it a little differently. Well, a lot differently. In fact, Mr. Speaker, if you take a look at the press release by the Governor dated April 27, 2007, in hopes of landing a Director of the Department of Land and Natural Resources, she formed a committee of 30 people from diverse environmental and culture groups, many people that have an interest, a specific interest, in who becomes the Director of Land and Natural Resources. That's what we're doing for the Candidate Selection Committee. We're allowing the people that we believe matters the most for the University: the faculty, the emeritus regents, the students, the alumni and a few others; to come together to select the best and the brightest and to give those recommendations to the Governor for her to make the final decision.

"I also wanted to mention, Mr. Speaker, that the other side talks about allowing special interest to get in the way of the selection of the Regents, but I'd like to submit to you that allowing the faculty or the students, the Emeritus Regents, or whomever to suggest a list again, it's a lot better than what we have now. And even where we have now in place with the current Board, three of the current Board members are former faculty members of the University of Hawaii: Byron Bender, Marlene Hapai, and Ramon de la Pena, all former faculty members at the University. No one says anything about them. So, why then do we start questioning the process if we allow the faculty to participate in the selection of Regents. I don't get it, Mr. Speaker.

"I also wanted to mention one other thing, and that is, so much has been said about taking away the power of the current Governor. What I'd like all of our members to realize is that I went back to the 1995 Session. That was the first Session of Governor Cayetano. And during the course of his eight years, 11 bills basically recommended what we're doing here today. In fact, Mr. Speaker, House Bill 2069 in the year 2000, actually came out of the House Committee on Higher Education and was voted on this Floor and it passed Second Reading. So, we're not talking about a take away for this current Governor. We believed back then, or a few of us believed back then, ten years ago, that this type of process needed to be done to depoliticize the selection process for the Regents.

"And lastly, Mr. Speaker, I'd like to read from a column written by Frank Boas on Sunday, July 2, 2006. Frank, by the way, is a retired attorney and a member of the UH Foundation Board, and I quote:

> I look forward to the time, hopefully in the near future, when all the stakeholders of the University, including the faculty, students, alumni and employees will feel that their vital interest are represented on the Board of Regents. They will then not only have a renewed sense of confidence in the governance of the University, but they will also be able to enjoy the pride of ownership in this great institution.

"Mr. Speaker, our vote tonight to support the override will do just that. Thank you, Mr. Speaker."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 14, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII" as contained in Gov. Msg. 342, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the

House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 39: Belatti, Berg, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 10: Awana, Brower, Ching, Finnegan, Green, Marumoto, Meyer, Pine, Thielen and Ward.

Excused: 2: Bertram and Souki.

At 9:50 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 14, SD 1, HD 1, as contained in Gov. Msg. No. 342, had carried.

Gov. Msg. No. 363, informing the House that on April 25, 2007, S.B. No. 1063, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES" was vetoed.

Representative Caldwell moved to override the veto of S.B. No. 1063, SD 1, HD 1, as contained in Gov. Msg. No. 363, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the override, stating:

"Mr. Speaker, I'm rising to speak against the motion. Mr. Speaker, let's just imagine a scenario. Let's imagine that Barack Obama loses the election, decides to move back to Hawaii. His membership on the mainland to the Democrat Party expires. He moves back to Hawaii and has often been called Hawaii's 'third Senator'. One of the senior Senators dies. Barack Obama doesn't have membership in the Hawaii Democrat Party. Barack Obama would not be eligible. Is that what we want to do? To limit the pool of who would be eligible to be appointed to United States Senate in the event of a vacancy?

"I think the bill is very limiting from the six-month membership requirement as well as it's very limiting from saying you have to be a card carrying member of the party, whether it's Republican Party or Democrat Party. So many in our population identify with one or the other parties that they don't officially hold a card. So, Obama would not be eligible; neither would a large number of the population that do identify with one or the other parties. So, I think the bill is a mistake and I would hope that we would uphold the Governor's veto."

Representative Ching rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I rise in opposition to the veto override motion. This bill requires the Governor to select from a list three prospective appointees nominated by the party of the incumbent to fill the legislative vacancy. The bill says, it goes on to say that the process should be free of political gamesmanship or controversy to ensure the integrity of the legislative process, provide for effective representation of the residents of the legislative district. However, by placing this process in the hands of a political party, actually, aren't we adding political favoritism? Political parties by themselves, by their nature, are full of political favoritism. These parties tend to be the driving force of political gamesmanship.

"And is this the intent of this bill to be reminiscent of the days of Boss Tweed and Tammany Hall, when an organization from a political party ran the political game? We all know the history and we don't want to encourage more of the one-sided politics. It doesn't ensure the integrity of the election process. The bill places the ability for determining who may be appointed with the political party leadership of the vacating officeholder in spite of this leadership not being elected by the public. And, therefore, it's not accountable to them. The only people that can be held accountable by the voters are those who are elected.

"A Party Chair is not elected by the voters at large. Instead, they are elected by a small portion of their population. They're not accountable to the rest of the citizens of Hawaii. So, how is that ensuring the integrity? In this very body, we currently have a Representative who's been appointed by the Governor and would anyone question this Representative's representation? I don't think so. She's representing her district nobly. So, therefore, the current system provides for the effective representation for residents.

"Others in this body may say other appointees as people who have not been effective Representatives of their districts. But where are they today? They are no longer in this body, are they? That's because the system works. If they do not step up to the plate and provide the right representation, then they do not stay.

"So, finally, in echoing the remarks of my colleague from Kailua, this limits the selection pool. By limiting the pool of potential people, we are tying our own hands. We want the best for the Legislature, the best for Hawaii, and so why should we be restrictive? And if we had these current restrictions, then the people of Molokai would have lost out today. Mr. Speaker, this measure does not accomplish what it sets out to do."

Representative Rhoads rose to speak in support of the override, stating:

"In support. I, having been through the process both at the party level and at the Governor's office, I have to say that I think the Democratic Party, anyway, took the job very seriously, tried to find good candidates, and the four that they picked were all perfectly competent. Maybe better than competent. One of whom is sitting in the audience tonight, Kevin Mulligan. Peter Leong would have been an excellent legislator, as well. As would have Roy Benham.

"As for being political, I think that the decisions made in the Governor's office were every bit as political in the 28th District case as the decisions made at the Party. I think this is a perfectly legitimate response to the events that happened in '05 and '06. Thank you very much."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1063, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES" as contained in Gov. Msg. 363, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 41: Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 8: Ching, Finnegan, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward.

Excused: 2: Bertram and Sonson.

At 9:58 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 1063, SD 1, HD 1, as contained in Gov. Msg. No. 363, had carried.

Gov. Msg. No. 361, informing the House that on April 24, 2007, S.B. No. 1642, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR" was vetoed.

Representative Caldwell moved to override the veto of S.B. No. 1642, SD 1, HD 1, as contained in Gov. Msg. No. 361, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the override, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, my first responsibility as a Representative in the State of Hawaii is the safety of the people of the State of Hawaii. This bill asks us to be derelict in our duties. This bill seeks to overturn the Supreme Court case of the UPW v. Hannemann, in 2005, the case in which the City and County attempted to transfer refuse workers and were subsequently taken to court. It seemed like a pretty simple management decision. If people over here are idle, put them over here where they're busy.

"Now, imagine that those are police, Mr. Speaker, that your district is left unsecured, but the ability to put, reassign the police department is unable because it has to go to collective bargaining, which this bill calls for. I think, Mr. Speaker, when you see the Honolulu Police Department and all of the other counties coming down here, as they did last week, saying, 'Don't pass this bill. This is not good', I think we should listen to those. They rarely get politically involved in such as that, and when they came down and made those statements, it's saying that this bill is taking stuff out of traditional management practices and putting them into collective bargaining practices.

"I think the bottom line is that when public safety is at stake, public safety comes first and public unions would come second. If we override this veto, Mr. Speaker, it's not going to change anything. Management is always going to have to manage. Managers will always manage. What there may be is a 'Hannemann 2' or 'Hannemann 3' or 'Hannemann 4', and it'll keep going back to court. But the issue of getting the job done, that's why there's managers. That's why you're the Speaker.

"Mr. Speaker, you don't have a meeting of a committee every time you make a decision. This one says for the unions every time that there's a decision on reassignment, hiring, firing, discipline, it's a collective bargaining issue. And not that management should have their way with everything, but there's certain things, there's certain divisions of labor. That's the way society is structured and that's the way society works best; when people know who they are, what's expected of them and what to do. This one clouds the lines between the rights of management and the rights of labor.

"It's going to be confusing and when it gets down to the safety and to the security of the public, of the people of Hawaii, I'm afraid this veto is an endorsement of your responsibility on our part. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. In opposition of the override. Real quickly, I'm going to read a letter. This is from the Chief of Police Boisse Correa.

> The four county Police Department strongly oppose Senate Bill 1642 because its passage would jeopardize public safety. The bill's purpose is to amend the law relating to collective bargaining by making certain subject matters areas that are currently excluded from negotiating, permissible. The bill proposes to allow the negotiation procedures and criteria for promotion, transfer, assignment, demotions, layoffs, suspensions, terminations, discharge, and other disciplinary actions. It will allow current grievance procedure to be utilized in the event there are alleged violations, of negotiated and agreed upon procedures and criteria.
>
> As law enforcement agencies, our ability to provide optimum service to the community is dependent upon our ability to direct the workforce as need arises during daily operations, and especially during an emergency. Police Departments need to be able to assign officers, dispatchers when and where they are needed most. Requiring negotiations for the assignment of personnel due to understaffing from employees on vacation, sick, court, training, etc., would greatly impact 911 emergency response times for service. Requiring negotiations for suspensions, terminations and other disciplinary actions will reduce employee accountability. This kind of negotiation will delay the Department's ability to remove police authority from officers who are being investigated and to terminate employees who should be discharged.
>
> The four county Police Departments believe that the public is best served by existing law that aptly ensures an environment that allows management to direct its work force and oversee operations while respecting employee and union rights at the same time. The passage of this Senate bill will have an extremely detrimental impact on the efficient, effective delivery of police services and we urge you not to override the Governor's veto.

And it is signed, Boisse Correa, Thomas Phillips, Lawrence Mahuna, and Clayton Arinaga, all acting police chiefs.

"I wanted to add just one more thing. I don't think we apply this to ourselves, do we? We want to manage our offices the best we can. I would hope that we would be equal."

Representative Takamine rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I rise to speak in favor of the motion. I think much has already been said about this particular measure, both by the opponents and proponents. And I must admit that at times our deliberations and the decisions we make get determined in part by the decibel level of those arguments that are made in the lobbying process. It appears as though, with respect to this particular measure before us, it may be helpful to understand the existing current law, what it provides for and the public policies that we've established in the area of collective bargaining.

"And, Mr. Speaker, as you and I are aware, at one time workers never had any rights, real rights to engage in concerted activity, and to join and be members of the union, and have someone bargaining on their behalf, as an exclusive representative. When Congress passed the National Labor Relations Act, for the first time these rights came into being. Hawaii as a State, not until we became a State, was covered by that law, and therefore, upon Statehood, for the first time, Hawaii workers were able to enjoy and exercise those rights to work collectively as they dealt with various measures with the employer.

"However, even at that time, public workers were not covered by the National Labor Relations Act, and, therefore, it wasn't until 1970 that this Legislature determined that collective bargaining and joint decision making should be what determines the policies in the workplace, in the public sector.

"And Chapter 89 was established, and if I can ask your indulgence, Mr. Speaker, because Chapter 89, I believe, establishes the framework for this very bill that is before us. And in that, in the very first section of Chapter 89, which is entitled Collective Bargaining In Public Employment, 89-1 establishes the statement of findings and policy and there, the existing law states: The Legislature finds that joint decision making is the modern way of administering government where public employees have been granted the right to share in the decision making process affecting wages and working conditions. They have become more responsive and better able to exchange ideas and information on operations with their administrators. Accordingly, government is made more effective.

"And the law is even more exclusive because if you look at subsection (b) of 89-1, it states: The Legislature declares that it is the public policy of the State to promote harmonious and cooperative relations between government and its employees and to protect the

public by assuring effective and orderly operations of government. These policies are best effectuated by: (a) recognizing the right of public employers to organize for the purpose of collective bargaining; and (b) requiring public employers to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours and other conditions of employment."

Representative Chang rose to yield his time, and the Chair, "so ordered."

Representative Takamine continued, stating:

"Thank you very much. So, we established as a Legislature that this would be the manner in which decision making would occur. We know that in the private sector, wages, hours and conditions of employment, the whole gamut, is subject to collective bargaining. But in the public sector it's different. In the public sector we need to protect the public's health and safety. Therefore, there were safeguards implemented in Chapter 89 and the so-called, management rights provisions are incorporated in Section 89-9(d).

"And in 89-9, which establishes the scope of negotiations, again, the statute states clearly the employer and the exclusive representative shall meet at reasonable times and shall negotiate in group faith with respect to wages, hours and conditions of employment. In 89-9(d) there were provisions to protect the so-called, management rights. And 89-9(d) states: Excluded from the subjects of negotiations are matters that would interfere with the rights and obligations of a public employer to: (1) direct the employees; (2) determine qualifications, standard for work, and the nature and contents of examinations; (3) hire, promote, transfer, assign and return employees in positions. Again, just to repeat, the hiring, the promotion, the transfer and assignments is something that is explicitly stated in the provision. In (4) it goes on to include suspend, demote, discharge or take other disciplinary action against the employees for proper cause; (5) relieve an employee from duties because of lack of work or other legitimate reasons; (6) maintain efficiency and productivity, including maximizing the use of advanced technology in government operations; (7) determine methods, needs, and personnel by which the employer's operations are to be conducted; and (8) take such actions as may be necessary to carry out the missions of the employer in cases of emergencies.

"I know I'm taking a while, Mr. Speaker, but I think it's important to note that because when we look at the measure before us, when you look Senate Bill 1642, S.D. 1, H.D. 1, the measure that was vetoed by the Governor, all of that language is intact in the bill. If you look at page 1 from lines 4, to page 2, line 13, those provisions that relate to protecting management's rights are included in the bill. Point number one.

"And I guess in light of the decibel level that we referred to earlier, there has been a lot said regarding this matter, and in fact, just this morning I'm sure all of us received the communication from the Governor's Chambers and it was transmitted to us by her Senior Policy Advisor, Linda Smith. And even there, I guess, dated May 1, 2007. 'Dear Representative. Please read this before voting to override the Governor's veto of Senate Bill 1642. '

"Specifically, Mr. Speaker, I wanted to point out that in the middle of page 2, Ms. Smith states, and that is in S.B. No. 1642: The proposed amendment requiring negotiations, requiring negotiations, over the impact of transfers, assignments, and layoffs of public employees would adversely affect the ability of a public employer to manage its employees and adversely affect the service provided to the general public. That is precisely the point made by the previous speakers.

"I raise the point because I'm sure in the lobbying efforts, sometimes we try to be a zealous advocate, we may tend to stretch what is actually incorporated in the bill and what is not. And that's why I think our Majority Floor Leader a lot of times reminds us if we wanted to know what we're deliberating about, it's important to know what's in the bill. Because when you hear things like requiring negotiations, taking away our management rights, taking away our discretion, it is important …"

Representative Har rose to yield her time, and the Chair, "so ordered."

"Thank you. It's important to know what the bill says and, does it really affirm that what is being represented is true. Let me just call your attention to page 3, lines 2 to 3, because here the bill says this is what is being characterized as requiring negotiations. What the bill says is that this subsection shall not preclude negotiations over the procedures and criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharges or other disciplinary action as a permissive subject of bargaining during collective bargaining negotiations.

"It doesn't sound like a requirement to me. And I know that there can be sometimes confusion because last year we had a bill similar to this that had different language that could be interpreted as requiring negotiations on the impact of these transfer and assignment decisions. But this is the measure before us, and this is the language that is before us.

"Again, I realize that this is late into the evening and a lot has been said. But Mr. Speaker, in light of the existing law, in light of the language of the bill, I will be supporting the motion to override the Governor's veto. Thank you."

Representative B. Oshiro rose to speak in support of the override, stating:

"Very short and in support. I just really wanted to emphasize I think what the Representative from the Big Island said. It's really important to read the bill because I think there's been a lot of mischaracterizations of it. He's already cited page 3 of the bill that talks about, this shall not preclude and is permissive.

"And what this really is about is, because there was a time when before the Supreme Court came down with their decision on issues such as transfers and promotions. And it's not necessarily when you do it, but it's how you do it. It's the procedures and criteria as you see on lines 2 and 3 of page 3. That's what's going to be negotiated. Because as you already see on page 2, subsection 3, lines 1 and 2, the issues of hiring, promoting, transferring, assigning, and retaining employees in their positions. That is not able to be negotiated. That is purely within the management right. But how you do it. The standards and criteria by which you will be doing those things, that is something that can be negotiated.

"What happened was after the Supreme Court case, the union would come forward and say, 'We want to negotiate how you're going to be transferring people. How you may be promoting people.' And management would say, 'Well, after the Supreme Court case that I have, too bad, so sad, sorry. I don't need to. It's no longer necessary.' That is what the issue. Allowing them in the negotiations to negotiate the how; not the what. So, for those reasons, I stand in support."

Representative Herkes rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. In support. I read the Governor's veto message as contradictory. Of course, the police chiefs, the fire chiefs are going to oppose this. It's just going to make their job a little harder.

"I learned years ago that unions are the result of bad management. I spent 15 years across the table from the ILWU, and we had to bargain everything. We had to bargain everything. Nothing was off the table, and that was fine with us. And I will tell you another thing, that union grievances resulted in showing us where we had bad

management, and we had to clean it up. There's nothing wrong with this bill."

Representative Finnegan rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. Ruling on a conflict. My husband's a firefighter," and the Chair ruled "no conflict."

Representative Finnegan continued in opposition of the override, stating:

"Thank you. In opposition. I'm starting to see it in a little different way, but I have some serious concerns because we are talking about how you determine, for instance, when doing a transfer of personnel and determining maybe you can do it under the conditions of an emergency. So the negotiations can be done upon what is considered an emergency? Is that what we're saying? I'm still confused, possibly because it is difficult to interpret what their words say. It's not just as easy. As we know, what we think we write in bills, sometimes get interpreted in all different kinds of ways after it passes out.

"So, I still have some questions about that because emergency services are so important. First and foremost, it's not necessarily a worker going to be transferred, but more so, the public safety. For instance, for firefighters, it isn't, is there an emergency at that particular time that we have to move somebody over to another station. It may be something like, there's always a need for you in the different places. It's a matter of whether or not you have the proper staffing that can respond, whether it be seven minutes versus five minutes to a location. That could make a huge difference in whether or not you will be prepared or be able to answer to an emergency. So, I'm still cloudy. I think it's cloudy in regards to what and how it can be negotiated. So, I still stand in opposition, Mr. Speaker."

Representative Takumi rose to speak in support of the override, stating:

"Thank you very much, Mr. Speaker. In support. I would like to, at the risk of expanding the House Journal, I'd like to enter the remarks from the Representative from House District 1 as if they were my own," and the Chair "so ordered." (By reference only.)

"Thank you. It's really true. When in doubt, read the bill. This bill does not in any way, shape, or form affect Chapter 89-9(d). That is the crux of the issue. So, for the previous speaker who said she's confused, I would recommend that you read the bill and you read that Chapter and you tell me what's the change to 89-9(d). There is no change whatsoever. We're just talking about permissive and that's why this whole thing is called the permissive bill, if you will. It's about those sections of Chapter 89 that may be negotiated. In this case, the bill says, 'shall not preclude negotiating'. So, I, frankly, don't know what the confusion is. It's pretty much in black and white, what this bill does and what it does not do.

"I will not read into the record, the letter that all of us got from Mr. Bob Lee, the President of the Hawaii Firefighters Association, but all of us did get that letter. And if you read it, he expressed some disappointment in the Fire Chiefs, in the way they are approaching the bill. And, Mr. Lee is a 'rank and file' firefighter, someone who is out there on a daily basis, on the front lines. Mr. Speaker, I would trust him, when he says this does not impugn the safety of our community, and I would take his word for that. Thank you very much, Mr. Speaker."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, in support. This whole public safety issue, I think, is *shibai*. The Hawaii Firefighters Association Agreement in effect from July 1, 2005 to June 30, 2007, and Section 4 Management Rights clearly states that the employer, and I'm quoting, 'The employer reserves and retains solely and exclusively all rights, authority, and prerogatives, including the right to manage, control, and direct its employees and operations, except specifically abridged or modified by this Agreement.'

"Mr. Speaker, I just don't, I can't imagine a situation where a firefighter would say, when a supervisor comes to him or her and says, 'There's a fire in Kapolei and you're based in Kalihi. But I'd like you to go help fight the fire in Kapolei,' and the firefighter says, 'No, I don't have to because it's not in my district.' Or a police officer, where there's a murder call that's outside of his normal *kuleana* and he or she says, 'No, I'm not going to go.' In the first place, in the contract, they're going to have to negotiate exactly what's in the firefighter's contract. And in the second place, even if the contract said something different, we're talking about firefighters and police officers and emergency medical service workers. This is not going to be an issue. Thank you."

Representative Marumoto rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I rise in opposition to this motion. I don't consider myself anti-labor. I am an associate member of HGEA and have been for maybe 25 years or so. There are worker's rights and there are management rights, and this bill is an erosion of management rights. Yes, it is permissive and the opposite of permissive is, not permissive. There is a term in there that reads, 'shall not preclude,' and the opposite of that is 'shall not.' So once you open it up, you're allowing a whole lot of negotiations which makes it a little more difficult for management to manage.

"When you're a parent, you negotiate some things. But on other issues, you say, 'Hey, I'm firm on this. This is the law. I'm sorry, it's time for bed.' This is one of those bills and I think it is very important to retain some management rights so they are able to transfer people and do other things that are necessary when they're thinking about the overall mission of their departments or agencies. I urge you to vote no. Thank you."

The Chair recognized Representative Sonson, stating:

"Representative Sonson, would you like to summarize your statement since it is 10:25, and we've had a lot of discussion on this particular measure."

Representative Sonson rose to speak in support of the override, stating:

"Thank you very much. I will keep it very brief. This is a very important issue. It does deserve a lot of press and I'm glad there's a lot of coverage in this so that we can all be educated on what this is all about.

"Chapter 89 is what we are really discussing. Chapter 89 was the work of the prior Legislature and it is intended to be legislation that will establish guidelines for decision making between employers and employees. The Hannemann case that was decided in '05, did have a holding that would require us to revisit Chapter 89, and that's why we're doing so. Because the holding did say that the transfer of employees from the base yard, from one area to another, was not subject to collective bargaining under Chapter 89A. This is the holding of the case of the UPW v. Hannemann. But it does outline, as was stated earlier, Chapter 89D says the employer has exclusive right pertaining to the hiring, promotion, transfer, etc., and the parties are permitted, they are encouraged to negotiate matters regarding wages, hours, and conditions of employments. But there is an overlap between what is condition of the employment, and when the management exercises their right to hire, promote, etc.

"So, what was relied on by the Hawaii Labor Relations Board, because they were the first to look at this case, and they found in favor of the employee. They said that when you are looking at these particular rights given by the Legislature for employer and

employees, you should balance them so that they're not really mutually exclusive. You don't take them one here, this is yours, and here is yours. Actually, the intention of the Legislature was: you talk about it, and you talk about it in good faith. That is why everything should be subject, although that is their stuff and this is my stuff, you still talk about all that because they do interact. There is an overlap between the rights. And what the Supreme Court found was this was not subject to a balancing test. But, you see, that is counter to what the intent of the Legislature was when establishing these rights. The Legislature did not intend that these will be …"

Representative Sagum rose to yield his time, and the Chair, "so ordered."

Representative Sonson continued, stating:

"Thank you. A couple more minutes. What we're trying to do is really tell the Supreme Court that we do mean that these, that the law that we establish in Chapter 89 or the prior Legislature, establish in Chapter 89-9, is really to apply this balancing test. We're providing that mechanism so that when they look at this law again, if it ever reaches them again, then they will know for sure that that is exactly what we meant.

"It is, it is very difficult sometime for the Supreme Court to go beyond what is black and white, so that it is so important to insert or debate these things when we do research on what is the intent of the Legislature. So that now it is really clear. It is the intent of the Legislature that these rights will be subject to a balancing test. That's all. Thank you, very much."

Representative Pine then called for the previous question.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1642, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR" as contained in Gov. Msg. 361, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 38: Awana, Belatti, Berg, Brower, Caldwell, Carroll, Chang, Chong, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 9: Cabanilla, Ching, Evans, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward

Excused: 4: Bertram, Green, McKelvey and Nakasone.

At 10:30 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 1642, SD 1, HD 1, as contained in Gov. Msg. No. 361, had carried.

Gov. Msg. No. 369, informing the House that on April 26, 2007, S.B. No. 1816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION" was vetoed.

Representative Caldwell moved to override the veto of S.B. No. 1816, SD 1, HD 1, as contained in Gov. Msg. No. 369, seconded by Representative B. Oshiro.

Representative Ching rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I rise in opposition of the override. I'm just going to read here from what, maybe you have a copy of it. But I want to read just one or two sentences. Thank you, Mr. Speaker.

The bill is objectionable because it grants exclusive right of consultation to only a single entity. It doesn't require consultation with other Kohala community groups, Kamehameha Schools, Lohiau Family, Civic Club, etc., etc., etc.

"I'm just going to say that it hurts me that something like this that is for historic preservation comes out like this, but there's two reasons why I think that we should uphold the veto. When thinking of something so precious as historic preservations and our sites, we want to bring in as many vessels of wisdom as possible. They say it takes a village to raise a child. I say it takes a village to *malama malama* all the sites. We want to have input from people. Historic preservation, ironically, I think, is about knowledge, not about curtailing knowledge.

"This legislation could set a precedent where other people think they have their own, they have their own only dibs on something. And we know in historic preservation, that we're trying to bring in everybody. In sum, Mr. Speaker. historic preservation should bring people together, not exclude them. Thank you."

Representative Yamane rose to speak in support of the override, stating:

"Mr. Speaker, standing in strong support. Mr. Speaker, let's talk about this veto. What are we talking about? The Mookini Heiau located on the Big Island. The secret site where Kamehameha the Great received his blessing and birth rights in 1758 on the eve of his birth.

"Let's look at some of the facts. Let's talk about some of the people involved. The people that we involve regarding consultation, the word located in the bill. We are asking for the consultation of Ms. Leimomi Mookini Lum, a Kahuna Nui. Mr. Speaker, we're talking about vessels of wisdom. This is a living vessel. A direct descendent of the Kahuna Nui Kuamoo Mookini. I probably butchered that and I am sorry. The first Kahuna Nui and director of the building of this temple some 1,500 years ago, Mr. Speaker.

"Let's look at some other things affecting this important site. Mr. Speaker, we're talking about a 2.915 acre monument, which was donated to the State of Hawaii by the Kohala Corporation on December 1978 for its protection. This bill codifies the language contained in the deed when it was given over. I find it kind of ironic, Mr. Speaker, that our Governor's own DLNR, Department of Land and Natural Resources, testified more than once in support of this bill.

"Mr. Speaker, in the testimony it says that included in the Deed of Conveyance is a provision that prior to making any alterations or improvements within the Mookini Heiau, the State, quote, 'shall consult with the Kahuna Nui of the Mookini Heiau.' The Department's Division of State Parks maintains the Mookini Heiau and consults with the Kahuna Nui on plans for any improvements. Mr. Speaker, in their own testimony, they state that they consult. I find it kind of ironic that our own Governor will oppose the testimony in support of their own department.

"Mr. Speaker, this bill, if people actually read it, states that prior to any alterations or improvements, not including routine maintenance to the monument, including the Mookini Heiau, the Department of Land and Natural Resources shall consult. It doesn't need approval. They just need to ask for a consultation.

"Also, Mr. Speaker, this bill is talking about historic preservation. Let's not let moneymaking opportunities take over such a precious site. This bill will protect it. It states, page 3, section (c), prior to any additional organized profit making venture involving the monument, including the Mookini Heiau, the entity proposing the venture shall, again, consult with the Kahuna Nui of the Mookini Heiau. Mr. Speaker, I ask for everybody's support. Thank you."

Representative Waters rose to speak in support of the override, stating:

"In support. May I have the words of the Chair of Tourism and Culture entered into the Journal as my own? And I just want to make one further comment. I like his new forceful voice. Thank you," and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the override, stating:

"Same here, Mr. Speaker. In support and I would like to incorporate the words of the Tourism and Culture as if they were my own. I think it sums it up better than anyone can, on what we're doing here on this veto override. And, also, I like his new voice too. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

Representative Sagum rose to speak in support of the override, stating:

"Mr. Speaker, as a Native Hawaiian, I'd like to speak in favor of this bill, and I'd like to insert the words of the previous speaker in the Journal as my own," and the Chair "so ordered." (By reference only.)

Representative Manahan rose to speak in support of the override, stating:

"Mr. Speaker, in support. I just wanted to also incorporate the words of my Chair for Tourism as my own. I would just like to add that as he mentioned that this Heiau, particular Heiau, and the oral tradition that goes along with it has been entrusted to the Kahuna Nui since 480 A.D. I really don't think it's in our place to change that. Thank you."

Representative Souki rose to speak in support of the override, stating:

"Yes, Mr. Speaker, I speak in favor and I was very impressed with the speech from the Chair of Tourism. I've never seen such expression in my time. I'm sure the spirit of Momi must be watching and giving him all the graces for the evening. Thank you very much."

Representative Berg rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I, too, would like to rise in support and incorporate the words of the Representative from Mililani. In addition, I'm looking at the concerns that the Governor has. I would like to further reiterate that this particular site, which consists of three specific areas and the spaces in between, is a nationally registered historic landmark site. We are codifying the statement that already exists in the deed signed by Governor Ariyoshi in 1978, and that is present in the Executive Order.

"I'd like to reassure my colleagues that one of the concerns is what will happen when this Kahuna Nui passes on. The next Kahuna Nui has been already selected and named. So, with that in mind, when we're talking about historic preservation sites, we're not just talking about building on one site. We're talking about the *kauna* of the land and we're talking about the history of Hawaii. So, I strongly encourage my colleagues to understand and accept that the Priest of this particular site do emanate from 480 A.D. and Aunty Momi is the seventh High Priestess. Thank you."

Representative Meyer rose to speak in support of the override, stating:

"Mr. Speaker, I'm rising in support of the override. The Mookini Heiau is, without a doubt, just an unbelievable treasure and site. Mrs. Lum has worked tirelessly to get some kind of support. I think she should be a consultant and I'm sure she will work with other groups there because one person cannot do it all alone. Thank you."

Representative Awana rose in support of the override and asked that the remarks of Representative Berg be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. In opposition. The bill talks about the entire monument, not just the Mookini Heiau. DLNR did not testify in support. They recommended the measure be amended to limit the authority of the Kahuna Nui to just the Heiau and not the entire monument. OHA, DLNR, the Kohala Hawaiian Civic Club and individual families with interest in the area, and Kamehameha Schools ask to be included. They all asked for the measure to be amended to include them, or to defer the measure and hold Kohala community hearings to provide them with a voice. Thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION" as contained in Gov. Msg. 369, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 43: Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Sagum, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takumi, Thielen, Tokioka, Tsuji, Wakai, Ward, Waters, Yamane and Yamashita.

Noes: 3: Ching, Finnegan and Pine.

Excused: 5: Bertram, Green, Morita, Nakasone and Takamine.

At 10:43 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 1816, SD 1, HD 1, as contained in Gov. Msg. No. 369, had carried.

Gov. Msg. No. 356, informing the House that on April 23, 2007, S.B. No. 1956, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE" was vetoed.

Action on S.B. No. 1956 was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Bertram, Nakasone and Takamine were excused.)

At this time, the Chair discharged all House conferees for H.B. No. 1493, HD 2, SD 1.

The Chair then stated:

"At this time, Members of the House, before we proceed on, are there any other measures on the yellow Action Sheet where the Co-Chairs want to be discharged? Please ask the Chair at this time so we can call a short recess to give all of you the opportunity to have a 48-hour notice. We will discharge conferees, move to reconsider action taken, and move to pass for Final Reading on Thursday.

"I could just do it on Thursday, but I'm giving you, the Members of the House, an opportunity."

At 10:46 o'clock p.m., Representative Yamashita requested a recess, and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:47 o'clock p.m.

The Chair then stated:

"Did everyone understand the Chair request for the Co-Chairs of all respective bills where we had disagreed, and you were a conferee, and at this point this evening you would like to be discharged so that we can address it on Thursday on the reconsideration of the disagreement. I'm not going to give anymore chances to the Co-Chairs."

Representative Green rose, stating:

"Yes, Mr. Speaker. If it's the will of leadership and the Caucus, I will agree to be discharged from H.B. No. 1479."

At 10:48 o'clock p.m., Representative Caldwell requested a recess, and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:50 o'clock p.m.

Representative Green rose, stating:

"Yes, thank you, Mr. Speaker. I spoke in error. They're still defective dates, so it's impossible. Thank you.

At this time, the Chair announced:

"Okay, thank you very much. So, that's the only measure that I'll be discharging conferees on. House Bill 1493 on page 44, and you all are hereby discharged."

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Cabanilla and Takamine were excused.)

H.B. No. 211, HD 1, SD 1
H.B. No. 249, HD 1, SD 2
H.B. No. 260, SD 2
H.B. No. 277, HD 1, SD 2
H.B. No. 497, HD 2, SD 2
H.B. No. 507, HD 2, SD 1
H.B. No. 870, HD 1, SD 1
H.B. No. 1155, HD 1, SD 1
H.B. No. 1253, HD 1, SD 1
H.B. No. 1256, HD 1, SD 1
H.B. No. 1291, HD 1, SD 2
H.B. No. 1334, HD 1, SD 1
H.B. No. 1338, HD 2, SD 1
H.B. No. 1399, SD 1
H.B. No. 1493, HD 2, SD 1
H.B. No. 1570, SD 1
H.B. No. 1721, HD 1, SD 2
H.B. No. 1902, SD 1
H.B. No. 1931, SD 1

At 10:54 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:07 o'clock p.m.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Cabanilla and Takamine were excused.)

H.B. No. 18, HD 1, SD 2
H.B. No. 25, HD 1, SD 1
H.B. No. 272, HD 1, SD 1
H.B. No. 513, SD 1
H.B. No. 1044, HD 1, SD 2
H.B. No. 1207, SD 1
H.B. No. 1227, HD 1, SD 1
H.B. No. 1323, SD 1
H.B. No. 1361, HD 1, SD 1
H.B. No. 1411, HD 2, SD 1
H.B. No. 1500, HD 2, SD 2

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 18, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 18, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Takumi, Waters and Ching). Noes, none. Excused, 1 (Sonson).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 18, H.D. 1 and H.B. No. 18, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 25, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 25, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Takumi, Sonson and Ching). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 25, H.D. 1 and H.B. No. 25, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSING," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 272, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 272, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Herkes and McKelvey). Noes, none. Excused, 1 (Marumoto).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 272, H.D. 1 and H.B. No. 272, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 513, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 513, on the following showing of Ayes and Noes:

Ayes, 2 (M. Oshiro and Magaoay). Noes, none. Excused, 1 (Ward).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 513 and H.B. No. 513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1044, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1044, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Shimabukuro, Green and Rhoads). Noes, none. Excused, 1 (Ching).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1044, H.D. 1 and H.B. No. 1044, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1207, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1207, on the following showing of Ayes and Noes:

Ayes, 3 (M. Oshiro, Lee and Awana). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1207 and H.B. No. 1207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED PAYMENTS," passed Final Reading by a vote of 40 ayes to 8 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1227, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1227, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (M. Oshiro and Lee). Noes, none. Excused, 1 (Ward).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1227, H.D. 1 and H.B. No. 1227, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR RISK MANAGEMENT," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1323, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1323, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, Tokioka and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1323 and H.B. No. 1323, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1361, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1361, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Shimabukuro, Rhoads, Hanohano and Awana). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1361, H.D. 1 and H.B. No. 1361, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1411, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1411, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (M. Oshiro, Lee, Chong and Ward). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1411, H.D. 2 and

H.B. No. 1411, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

H.B. No. 1500, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1500, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Sonson, Nakasone and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1500, H.D. 2 and H.B. No. 1500, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Cabanilla and Takamine being excused.

At 11:13 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 18, H.D. 1, S.D. 2
H.B. No. 25, H.D. 1, S.D. 1
H.B. No. 272, H.D. 1, S.D. 1
H.B. No. 513, S.D. 1
H.B. No. 1044, H.D. 1, S.D. 2
H.B. No. 1207, S.D. 1
H.B. No. 1227, H.D. 1, S.D. 1
H.B. No. 1323, S.D. 1
H.B. No. 1361, H.D. 1, S.D. 1
H.B. No. 1411, H.D. 2, S.D. 1
H.B. No. 1500, H.D. 2, S.D. 2

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, I have the pleasure to announce that Representative Evans and Representative Ching will be honored tomorrow by the Historic Hawaii Foundation with the highest prestigious Hawaii Preservation Awards for the work on Heritage Caucus of which we are now 75% members. It'll be on the Island Princess at 5:00 p.m. Congratulations to Representatives Evans and Ching."

Speaker Say: "Representative Caldwell, would like to make an announcement on behalf of the Members of the House in regards to a young man whose wife gave birth? Do you want to do it Chair Waters? The Chair recognizes Representative Waters."

Representative Waters: "Thank you, Mr. Speaker. I'm happy to announce, and this is probably old news to most of you, that on Friday, April 27, at 7:48 a.m., my wife gave birth to a bouncing baby boy. He was 8 pounds, 7 ounces, and his name is Thomas James Kaehukai Waters. Thank you for letting me go to the birth on Friday morning. It was in the middle of Conference Committee, but thank you guys."

At 11:15 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:17 o'clock p.m.

Representative Caldwell: "Mr. Speaker, I do have one other announcement. So many people have worked so hard back starting on Friday and then this week. I think on behalf of both the Majority Caucus and the Minority Caucus, we want to thank our personal staffs, but also the Chief Clerk's staff, who has operated under a lot of pressure and have come through very well without showing any sweat. To the Sergeant-at-Arms for their help in keeping us on schedule. And, of course, HMSO, for their review of all the bills and Committee Reports. We want to thank all of them very much for helping us get to the goal that we're at tonight. Thank you."

Representative Thielen: "Thank you. And I'd also like to thank the staff that keeps this building shining, particularly, Annie on the Fourth Floor, who is absolutely outstanding. She is always helpful, always with a smile."

Representative Magaoay: "Thank you, Speaker. Just adding to what the Majority Leader said. Our thanks to the LRB staff, also. Thank you."

Representative Tokioka: "And, Mr. Speaker, one other comment is we'd also like to thank the Printshop. If you go in there, there's a lot of trees in there. But they've done an excellent job in giving us our information, and I'd also like to acknowledge them. Thank you, Mr. Speaker."

At this time, the Chair stated:

"So, before closing, I just wanted to share with all of you, thank you very much for a wonderful day, even though it was a little long. But we really enjoyed the debate this morning, this afternoon, and this evening."

ADJOURNMENT

Representative B. Oshiro moved that the House of Representatives adjourned until 9:00 o'clock a.m., Thursday, May 3, 2007.

Representative Meyer: "Mr. Speaker, I'm not going to second that. I thought we were starting at 10:00."

Speaker Say: "No. We decided to start at 9:00 because you also want to finish early. There two individuals who will be catching a flight Thursday afternoon, and whatever we can do to finish the eleven pages on tonight's Supplemental Calendar #1, and the floor amendments which we will also be taking up Thursday. So if we could, I would like to finish on Thursday by 6:00 in the evening. Or it may be longer. It took us, for the same amount of pages, twelve pages, all this morning, this afternoon, and this evening to accomplish this. And that's with the Consent Calendar. So when you think about it, I'm just trying to run this Chamber very efficiently. I would love to start at 9:00."

Representative Meyer: "Okay, I had seen it in the Order of the Day as 10:00, so I thought it was a mistake. Thank you for explaining that."

Speaker Say: "And I need to apologize to all of you because tomorrow night is the House staff party and I think a lot of the staff would like to have a nice time there. But, just be home by 10:00 in the evening."

Representative Meyer then seconded the motion and at 11:20 o'clock p.m., the House of Representatives adjourned until 9:00 a.m. Thursday, May 3, 2007. (Representatives Bertram, Cabanilla, McKelvey, Nakasone, Saiki and Takamine were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 375) was received by the Clerk and was placed on file:

Gov. Msg. No. 375, transmitting H.B. No. 910, HD 1, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2007

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 910

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 910, entitled "A Bill for an Act Relating to Public Financial Disclosure Statements."

The purpose of this bill is to make the financial disclosure statements of the members of ten boards and commissions a matter of public record and available for inspection and duplication.

This bill is objectionable because it will adversely impact the ability of the State to attract knowledgeable and qualified volunteers to serve on boards and commissions.

Members of boards and commissions already file annual financial disclosure statements with the Ethics Commission. This allows members of the Ethics Commission to determine if conflicts of interest exist. These forms are not made public thus affording a careful balancing of the interests of the public and the privacy of the volunteers who serve. Subjecting a board member's personal financial, proprietary, and commercial information to public disclosure and duplication could adversely affect the ability of these individuals to conduct their business and maintain the confidentiality of their personal assets.

Second, this bill fails to recognize the safeguards already in place to ensure ethical behavior by board and commission members. Board and commission decisions are already subject to the Sunshine law requiring open meetings and public recording of the proceedings. Members of the public who are concerned that a conflict may exist have a reasonable opportunity to raise that concern. Furthermore, members of the public can request the Ethics Commission to investigate a commissioner or board member if they believe a conflict may be present.

Many board and commission members are subject to confirmation by the State Senate. The Senate has the opportunity and an obligation through this process to ensure that the members they are confirming will live up to the highest ethical standards of the State. Additionally, some boards, such as the Board of Land and Natural Resources, are already subject to statutorily mandated disclosure rules that require a member to disqualify themselves from voting or participation in a discussion where they have a direct or indirect interest. This bill fails to recognize these existing safeguards.

Third, this bill singles out ten specific boards and commissions but fails to address why these boards should be subject to public disclosure while numerous other boards and commissions that serve the State will not be subject to the same requirements. Furthermore, this bill attempts to improperly equate members of boards and commissions who serve without compensation as if they were the same as paid State employees or elected officials. If this proposed bill applied only to the Public Utilities Commissioners, it would be an acceptable measure since these commissioners are full-time paid members during their tenure.

Finally, the bill is objectionable because it would change the requirements of financial disclosure in mid-stream. Because this bill would take effect upon approval it would subject existing board and commission members to new rules that were not in place at the time they agreed to serve and were appointed to their positions. Changing the rules is both unfair and inappropriate to those who are giving of their time and talents to improve the operations of State government. If the measure applied prospectively, then it would be less onerous than as currently written.

My Administration has consistently supported open and timely disclosure of potential conflicts by members of all State boards and commissions. However, this disclosure should be handled in a manner that is appropriate to the specific board, such as the current statutory requirements applicable to the Board of Land and Natural Resources. This bill fails to meet that standard.

For the foregoing reasons, I am returning House Bill No. 910 without my approval.

Respectfully,

LINDA LINGLE
Governor of Hawaii"

HOUSE COMMUNICATIONS

"Legislative Communication

Hawaii State Legislature
State Capitol
Honolulu, Hawaii 96813

Communication from President Colleen Hanabusa
and Speaker Calvin K.Y. Say
dated April 28, 2007 12:05 a.m.
regarding the Extension of Conference Committee Deadlines

TO: Ms. Carol T. Taniguchi, Clerk of the Senate
Ms. Patricia Mau-Shimizu, Clerk of the House

We hereby amend the Joint 2007 Legislative Calendar as follows:

The Final Decking deadline of April 27, 2007 12:00 midnight previously agreed upon notwithstanding, committees on conference shall be allowed to continue the preparation of conference drafts and the signing of conference committee reports for measures agreed upon prior to 12:00 midnight. Agreed upon and signed conference committee reports shall be submitted to your respective offices by 12:00 noon on April 28, 2007.

Said measures submitted to your respective offices by 12:00 noon on April 28, 2007 shall be officially filed on Tuesday, May 1, 2007 at 8; 00 [*sic*] a.m. for compliance with Section 15 of the Hawaii State Constitution.

/s/	/s/
Colleen Hanabusa	Calvin K.Y. Say
Senate President	House Speaker"

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that H.B. No. 500, HD 1, SD 1, CD 1, has this day passed Final Reading in the House of Representatives.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the following bills have this day passed Final Reading in the House of Representatives:

HB 13, H.D. 1, S.D. 1, C.D. 1

HB 14, H.D. 1, S.D. 1, C.D. 1
HB 15, H.D. 2, S.D. 2, C.D. 1
HB 30, H.D. 2, S.D. 1, C.D. 1
HB 34, S.D. 2, C.D. 1
HB 71, H.D. 2, S.D. 2, C.D. 1
HB 116, H.D. 2, S.D. 1, C.D. 1
HB 122, H.D. 1, S.D. 1, C.D. 1
HB 155, H.D. 1, S.D. 2, C.D. 1
HB 162, H.D. 1, S.D. 2, C.D. 1
HB 250, H.D. 2, S.D. 2, C.D. 1
HB 275, H.D. 1, S.D. 2, C.D. 1
HB 334, H.D. 1, S.D. 1, C.D. 1
HB 349, S.D. 1, C.D. 1
HB 375, H.D. 1, S.D. 2, C.D. 1
HB 402, H.D. 1, S.D. 2, C.D. 1
HB 436, H.D. 1, S.D. 1, C.D. 1
HB 487, H.D. 1, S.D. 1, C.D. 1
HB 500, H.D. 1, S.D. 1, C.D. 1
HB 506, H.D. 1, S.D. 1, C.D. 1
HB 598, H.D. 1, S.D. 1, C.D. 1
HB 667, H.D. 1, S.D. 2, C.D. 1
HB 692, H.D. 2, S.D. 1, C.D. 1
HB 714, H.D. 2, S.D. 1, C.D. 1
HB 718, S.D. 2, C.D. 1
HB 791, H.D. 1, S.D. 1, C.D. 1
HB 835, H.D. 2, S.D. 1, C.D. 1
HB 869, H.D. 1, S.D. 2, C.D. 1
HB 895, H.D. 2, S.D. 1, C.D. 1
HB 1005, H.D. 2, S.D. 1, C.D. 1
HB 1063, S.D. 1, C.D. 1
HB 1130, H.D. 1, S.D. 1, C.D. 1
HB 1200, H.D. 1, S.D. 2, C.D. 1
HB 1212, H.D. 2, S.D. 2, C.D. 1
HB 1231, H.D. 2, S.D. 2, C.D. 1
HB 1246, H.D. 1, S.D. 1, C.D. 1
HB 1264, S.D. 1, C.D. 1
HB 1322, S.D. 1, C.D. 1
HB 1337, H.D. 1, S.D. 1, C.D. 1
HB 1364, H.D. 2, S.D. 1, C.D. 1
HB 1370, H.D. 1, S.D. 1, C.D. 1
HB 1372, H.D. 1, S.D. 1, C.D. 1
HB 1503, H.D. 1, S.D. 1, C.D. 1
HB 1518, H.D. 1, S.D. 2, C.D. 1
HB 1605, H.D. 1, S.D. 1, C.D. 1
HB 1608, S.D. 3, C.D. 1
HB 1612, S.D. 1, C.D. 1
HB 1614, H.D. 2, S.D. 2, C.D. 1
HB 1628, H.D. 1, S.D. 1, C.D. 1
HB 1630, H.D. 2, S.D. 2, C.D. 1
HB 1646, H.D. 2, S.D. 1, C.D. 1
HB 1830, H.D. 2, S.D. 2, C.D. 1
HB 1899, H.D. 2, S.D. 2, C.D. 1
SB 12, S.D. 2, H.D. 2, C.D. 1
SB 17, S.D. 2, H.D. 2, C.D. 1
SB 46, S.D. 1, H.D. 1, C.D. 1
SB 56, S.D. 1, H.D. 1, C.D. 1
SB 58, S.D. 2, H.D. 1, C.D. 1
SB 138, S.D. 1, H.D. 1, C.D. 1
SB 139, S.D. 1, H.D. 1, C.D. 1
SB 149, S.D. 1, H.D. 1, C.D. 1
SB 162, S.D. 1, H.D. 2, C.D. 1
SB 188, S.D. 2, H.D. 1, C.D. 1
SB 228, S.D. 1, H.D. 1, C.D. 1
SB 618, H.D. 1, C.D. 1
SB 667, S.D. 3, H.D. 2, C.D. 1
SB 678, S.D. 1, H.D. 1, C.D. 1
SB 755, S.D. 1, H.D. 1, C.D. 1
SB 795, S.D. 2, H.D. 1, C.D. 1
SB 837, S.D. 2, H.D. 2, C.D. 1
SB 866, S.D. 1, H.D. 1, C.D. 1
SB 870, S.D. 1, H.D. 2, C.D. 1
SB 880, S.D. 2, H.D. 2, C.D. 1
SB 896, S.D. 1, H.D. 2, C.D. 1
SB 987, S.D. 1, H.D. 2, C.D. 1
SB 990, S.D. 2, H.D. 3, C.D. 1
SB 992, S.D. 1, H.D. 2, C.D. 1
SB 1004, S.D. 2, H.D. 2, C.D. 1
SB 1008, S.D. 1, H.D. 2, C.D. 1
SB 1017, H.D. 1, C.D. 1
SB 1026, S.D. 2, H.D. 3, C.D. 1
SB 1060, S.D. 1, H.D. 2, C.D. 1
SB 1066, S.D. 2, H.D. 2, C.D. 1
SB 1154, S.D. 2, H.D. 2, C.D. 1
SB 1161, S.D. 1, H.D. 1, C.D. 1
SB 1182, S.D. 2, H.D. 1, C.D. 1
SB 1191, S.D. 2, H.D. 2, C.D. 1
SB 1222, S.D. 3, H.D. 2, C.D. 1
SB 1228, S.D. 1, H.D. 1, C.D. 1
SB 1284, S.D. 2, H.D. 2, C.D. 1
SB 1315, S.D. 2, H.D. 1, C.D. 1
SB 1372, S.D. 1, H.D. 1, C.D. 1
SB 1382, S.D. 1, H.D. 1, C.D. 1
SB 1388, S.D. 1, H.D. 1, C.D. 1
SB 1400, S.D. 2, H.D. 3, C.D. 1
SB 1402, S.D. 1, H.D. 1, C.D. 1
SB 1425, S.D. 2, H.D. 1, C.D. 1
SB 1515, S.D. 2, H.D. 2, C.D. 1
SB 1603, S.D. 2, H.D. 2, C.D. 1
SB 1665, H.D. 1, C.D. 1
SB 1672, S.D. 2, H.D. 3, C.D. 1
SB 1675, S.D. 1, H.D. 1, C.D. 1
SB 1676, S.D. 2, H.D. 1, C.D. 1
SB 1750, S.D. 1, H.D. 1, C.D. 1
SB 1779, H.D. 3, C.D. 1
SB 1833, S.D. 1, H.D. 1, C.D. 1
SB 1853, S.D. 2, H.D. 2, C.D. 1
SB 1882, S.D. 2, H.D. 1, C.D. 1
SB 1916, S.D. 2, H.D. 3, C.D. 1
SB 1924, S.D. 2, H.D. 2, C.D. 1
SB 1929, S.D. 2, H.D. 2, C.D. 1
SB 1943, S.D. 2, H.D. 2, C.D. 1
SB 1946, S.D. 2, H.D. 2, C.D. 1

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on March 27, 2007 to H.B. No. 1253, HD 1, SD 1.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 5, 2007 to H.B. No. 870, HD 1, SD 1

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 5, 2007 to H.B. No. 1334, HD 1, SD 1.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 5, 2007 to H.B. No. 1902, SD 1

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 10, 2007 to H.B. No. 1338, HD 2, SD 1

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 10, 2007 to H.B. No. 1931, SD 1

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2007 to the following House Bills:

HB No. 211, HD 1, SD 1
HB No. 249, HD 1, SD 2
HB No. 260, SD 2
HB No. 277, HD 1, SD 2
HB No. 497, HD 2, SD 2
HB No. 507, HD 2, SD 1
HB No. 1155, HD 1, SD 1
HB No. 1256, HD 1, SD 1
HB No. 1291, HD 1, SD 2
HB No. 1399, SD 1
HB No. 1493, HD 2, SD 1
HB No. 1570, SD 1
HB No. 1721, HD 1, SD 2

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has discharged all House Conferees to H.B. No. 1493, HD 2, SD 1.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered H.B. No. 10, SD 1, heretofore vetoed as set forth in Governor's Message dated April 27, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered H.B. No. 853, HD 2, heretofore vetoed as set forth in Governor's Message dated April 13, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered H.B. No. 854, HD 1, SD 1 heretofore vetoed as set forth in Governor's Message dated May 1, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered H.B. No. 861, HD 1, SD 1, heretofore vetoed as set forth in Governor's Message dated May 1, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered H.B. No. 863, HD 1, heretofore vetoed as set forth in Governor's Message dated April 24, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered H.B. No. 1672 heretofore vetoed as set forth in Governor's Message dated April 16, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered S.B. No. 14, SD 1, HD 1, heretofore vetoed as set forth in Governor's Message dated April 18, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered S.B. No. 1063, SD 1, HD 1, heretofore vetoed as set forth in Governor's Message dated April 25, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered S.B. No. 1642, SD 1, HD 1 heretofore vetoed as set forth in Governor's Message dated April 24, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered S.B. No. 1816, SD 1, HD 1 heretofore vetoed as set forth in Governor's Message dated April 26, 2007, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the

Honorable President and Members of the Senate, transmitting S.C.R. No. 226, which was adopted by the House of Representatives.

House Communication dated May 1, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that S.C.R. No. 209, HD 1, CD 1, has been adopted in Final Form by the House of Representatives.

SIXTIETH DAY

Thursday, May 3, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:16 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Josh Green, M.D., after which the Roll was called showing all members present with the exception of Representatives Bertram, Cabanilla and Takamine, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Forty-Seventh, Forty-Eighth, Forty-Ninth, Fiftieth, Fifty-First, Fifty-Second and Fifty- Third Days were approved. (Representatives Bertram, Cabanilla and Takamine were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 376 through 384) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 376, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1248, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NAME CHANGES." (ACT 047)

Gov. Msg. No. 377, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1103, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ASIAN LUNAR NEW YEAR COMMEMORATION." (ACT 048)

Gov. Msg. No. 378, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1328, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS." (ACT 049)

Gov. Msg. No. 379, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1336, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SANCTIONS FOR VIOLATIONS BY MORTGAGE BROKERS AND SOLICITORS COMMITTED AGAINST ELDERS." (ACT 050)

Gov. Msg. No. 380, informing the House that on May 1, 2007, the following bill was signed into law:

S.B. No. 1457, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH." (ACT 051)

Gov. Msg. No. 381, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1750, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT." (ACT 052)

Gov. Msg. No. 382, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1018, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR." (ACT 053)

Gov. Msg. No. 383, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 389, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS." (ACT 54)

Gov. Msg. No. 384, informing the House that on May 1, 2007, the following bill was signed into law:

H.B. No. 1513, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES." (ACT 055)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 883 and 892) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 883, transmitting H.C.R No. 162, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CERTAIN ACTION CONCERNING THE CONDUCTING OF A TEST TO CONVERT H-POWER ASH TO REUSABLE MATERIAL," which was adopted by the Senate on May 1, 2007.

Sen. Com. No. 884, transmitting H.B. No. 429, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SACRED HEARTS ACADEMY," which passed Third Reading in the Senate on May 1, 2007.

Sen. Com. No. 885, transmitting H.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR LE JARDIN ACADEMY," which passed Third Reading in the Senate on May 1, 2007.

Sen. Com. No. 886, transmitting H.B. No. 581, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANALANI SCHOOLS," which passed Third Reading in the Senate on May 1, 2007.

Sen. Com. No. 887, transmitting H.B. No. 1307, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on May 1, 2007.

Sen. Com. No. 888, transmitting H.B. No. 1907, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," which passed Third Reading in the Senate on May 1, 2007.

Sen. Com. No. 889, dated May 1, 2007, informing the House that the following bills have this day passed Final Reading:

S.B. No. 1008, S.D. 1, H.D. 2, C.D. 1 "RELATING TO ANNUITIES."

S.B. No. 1675, S.D. 1, H.D. 1, C.D. 1 "RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS."

S.B. No. 1425, S.D. 2, H.D. 1, C.D. 1	"RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER."
S.B. No. 870, S.D. 1, H.D. 2, C.D. 1	"RELATING TO THE DESIGNATION OF A HAWAII ARCHAEOLOGICAL DATA SURVEY."
S.B. No. 866, S.D. 1, H.D. 1, C.D. 1	"RELATING TO TOURISM."
S.B. No. 1750, S.D. 1, H.D. 1, C.D. 1	"RELATING TO HEALTH."
S.B. No. 58, S.D. 2, H.D. 1, C.D. 1	"RELATING TO DENTISTS."
S.B. No. 188, S.D. 2, H.D. 1, C.D. 1	"RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT."
S.B. No. 1315, S.D. 2, H.D. 1, C.D. 1	"RELATING TO THE ACCESS HAWAII COMMITTEE."
S.B. No. 46, S.D. 1, H.D. 1, C.D. 1	"RELATING TO GOVERNMENT OPERATIONS."
S.B. No. 987, S.D. 1, H.D. 2, C.D. 1	"RELATING TO RENEWABLE ENERGY."
S.B. No. 1943, S.D. 2, H.D. 2, C.D. 1	"RELATING TO ENERGY."
S.B. No. 56, S.D. 1, H.D. 1, C.D. 1	"RELATING TO JURY SERVICE."
S.B. No. 1400, S.D. 2, H.D. 3, C.D. 1	"RELATING TO FINANCIAL ABUSE."
S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1	"RELATING TO DOMESTIC ABUSE."
S.B. No. 228, S.D. 1, H.D. 1, C.D. 1	"RELATING TO GRAFFITI."
S.B. No. 162, S.D. 1, H.D. 2, C.D. 1	"RELATING TO IOLANI PALACE."
S.B. No. 1182, S.D. 2, H.D. 1, C.D. 1	"RELATING TO NEEDS ALLOWANCE."
S.B. No. 1222, S.D. 3, H.D. 2, C.D. 1	"RELATING TO INCOME TAXATION."
S.B. No. 1929, S.D. 2, H.D. 2, C.D. 1	"RELATING TO PUBLIC PROCUREMENT."
S.B. No. 17, S.D. 2, H.D. 2, C.D. 1	"RELATING TO PROCUREMENT."
S.B. No. 12, S.D. 2, H.D. 2, C.D. 1	"RELATING TO HEALTH INSURANCE RATE REGULATION."
S.B. No. 678, S.D. 1, H.D. 1, C.D. 1	"RELATING TO GENERAL EXCISE TAX."
S.B. No. 1284, S.D. 2, H.D. 2, C.D. 1	"RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
H.B. No. 1646, H.D. 2, S.D. 1, C.D. 1	"RELATING TO PESTICIDES."
H.B. No. 1628, H.D. 1, S.D. 1, C.D. 1	"RELATING TO HAWAII MACADAMIA NUT PRODUCT LABELING."
H.B. No. 349, S.D. 1, C.D. 1	"RELATING TO COUNTY REGULATION OF COMMERCIAL BICYCLE TOURS."
H.B. No. 714, H.D. 2, S.D. 1, C.D. 1	"RELATING TO EMERGENCY VEHICLES."
H.B. No. 1264, S.D. 1, C.D. 1	"RELATING TO HOUSING."
H.B. No. 1612, S.D. 1, C.D. 1	"RELATING TO CONSUMER CREDIT REPORTING AGENCIES."
H.B. No. 487, H.D. 1, S.D. 1, C.D. 1	"RELATING TO HOUSING PROGRAMS."
H.B. No. 375, H.D. 1, S.D. 2, C.D. 1	"RELATING TO PEDESTRIANS' RIGHT OF WAY."
H.B. No. 1518, H.D. 1, S.D. 2, C.D. 1	"RELATING TO DESIGN PROFESSIONALS."
H.B. No. 402, H.D. 1, S.D. 2, C.D. 1	"RELATING TO THE LAND CONSERVATION FUND."
H.B. No. 116, H.D. 2, S.D. 1, C.D. 1	"RELATING TO TELECOMMUNICATIONS."
H.B. No. 1322, S.D. 1, C.D. 1	"RELATING TO INSURANCE LICENSING."
H.B. No. 155, H.D. 1, S.D. 2, C.D. 1	"RELATING TO THE DEPARTMENT OF TRANSPORTATION."
H.B. No. 1899, H.D. 2, S.D. 2, C.D. 1	"RELATING TO KAWAI NUI MARSH."
S.B. No. 1515, S.D. 2, H.D. 2, C.D. 1	"RELATING TO THE DEPARTMENT OF TRANSPORTATION."

S.B. No. 1779, H.D. 3, C.D. 1 "RELATING TO CHILDREN."

S.B. No. 992, S.D. 1, H.D. 2, C.D. 1 "RELATING TO ENERGY."

S.B. No. 139, S.D. 1, H.D. 1, C.D. 1 "RELATING TO CIGARETTE TAX."

S.B. No. 755, S.D. 1, H.D. 1, C.D. 1 "RELATING TO COUNTY ETHICS COMMISSIONS."

S.B. No. 618, H.D. 1, C.D. 1 "RELATING TO EDUCATION."

S.B. No. 667, S.D. 3, H.D. 2, C.D. 1 "RELATING TO MENTAL HEALTH COUNSELORS."

S.B. No. 1924, S.D. 2, H.D. 2, C.D. 1 "RELATING TO LANDS CONTROLLED BY THE STATE."

S.B. No. 1665, H.D. 1, C.D. 1 "RELATING TO ANIMALS."

S.B. No. 1833, S.D. 1, H.D. 1, C.D. 1 "RELATING TO FAMILY LEAVE."

S.B. No. 1004, S.D. 2, H.D. 2, C.D. 1 "RELATING TO PSYCHOLOGISTS."

S.B. No. 1603, S.D. 2, H.D. 2, C.D. 1 "RELATING TO LIABILITY."

S.B. No. 1066, S.D. 2, H.D. 2, C.D. 1 "RELATING TO INVASIVE SPECIES."

H.B. No. 71, H.D. 2, S.D. 2, C.D. 1 "RELATING TO NURSE AIDES."

H.B. No. 1608, S.D. 3, C.D. 1 "RELATING TO TRANSPORTATION."

H.B. No. 1337, H.D. 1, S.D. 1, C.D. 1 "RELATING TO THE DEATH CARE INDUSTRY."

H.B. No. 1830, H.D. 2, S.D. 2, C.D. 1 "RELATING TO CHILD PROTECTION."

H.B. No. 1503, H.D. 1, S.D. 1, C.D. 1 "RELATING TO EMPLOYMENT."

H.B. No. 791, H.D. 1, S.D. 1, C.D. 1 "RELATING TO GASOLINE."

H.B. No. 1246, H.D. 1, S.D. 1, C.D. 1 "RELATING TO METAL."

H.B. No. 1130, H.D. 1, S.D. 1, C.D. 1 "RELATING TO CAMPAIGN SPENDING."

H.B. No. 895, H.D. 2, S.D. 1, C.D. 1 "RELATING TO MOTOR VEHICLES."

H.B. No. 14, H.D. 1, S.D. 1, C.D. 1 "RELATING TO EDUCATION."

H.B. No. 275, H.D. 1, S.D. 2, C.D. 1 "RELATING TO THE UNIFORM ATHLETE AGENTS ACT."

H.B. No. 30, H.D. 2, S.D. 1, C.D. 1 "RELATING TO INTERNATIONAL TRADE AGREEMENTS."

H.B. No. 1364, H.D. 2, S.D. 1, C.D. 1 "RELATING TO THE STATE RENT SUPPLEMENT PROGRAM."

H.B. No. 250, H.D. 2, S.D. 2, C.D. 1 "RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION."

H.B. No. 34, S.D. 2, C.D. 1 "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

H.B. No. 1005, H.D. 2, S.D. 1, C.D. 1 "RELATING TO THE PUBLIC UTILITIES COMMISSION."

H.B. No. 162, H.D. 1, S.D. 2, C.D. 1 "RELATING TO STATE FINANCES."

S.B. No. 1372, S.D. 1, H.D. 1, C.D. 1 "RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS."

S.B. No. 1060, S.D. 1, H.D. 2, C.D. 1 "RELATING TO WORKERS' COMPENSATION LAW."

H.B. No. 506, H.D. 1, S.D. 1, C.D. 1 "RELATING TO ETHANOL."

S.B. No. 1017, H.D. 1, C.D. 1 "RELATING TO HOUSING."

S.B. No. 138, S.D. 1, H.D. 1, C.D. 1 "RELATING TO DIAMOND HEAD STATE MONUMENT."

S.B. No. 1191, S.D. 2, H.D. 2, C.D. 1 "RELATING TO PEDESTRIAN SAFETY."

S.B. No. 149, S.D. 1, H.D. 1, C.D. 1 "RELATING TO STATE BONDS."

H.B. No. 1370, H.D. 1, S.D. 1, C.D. 1 "MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."

H.B. No. 692, H.D. 2, S.D. 1, C.D. 1	"RELATING TO AGRICULTURE."
H.B. No. 1372, H.D. 1, S.D. 1, C.D. 1	"MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH."
H.B. No. 1063, S.D. 1, C.D. 1	"RELATING TO THE HAWAII NATIONAL GUARD."
H.B. No. 334, H.D. 1, S.D. 1, C.D. 1	"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY."
H.B. No. 1614, H.D. 2, S.D. 2, C.D. 1	"RELATING TO DRUGS."
S.B. No. 1402, S.D. 1, H.D. 1, C.D. 1	"RELATING TO THE LOSS MITIGATION GRANT FUND."
S.B. No. 896, S.D. 1, H.D. 2, C.D. 1	"RELATING TO HIGH TECHNOLOGY."
S.B. No. 880, S.D. 2, H.D. 2, C.D. 1	"RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE."
S.B. No. 1916, S.D. 2, H.D. 3, C.D. 1	"RELATING TO CAREGIVING."
S.B. No. 1672, S.D. 2, H.D. 3, C.D. 1	"RELATING TO HEALTH."
S.B. No. 1676, S.D. 2, H.D. 1, C.D. 1	"RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
H.B. No. 122, H.D. 1, S.D. 1, C.D. 1	"RELATING TO STATE FUNDS."
H.B. No. 13, H.D. 1, S.D. 1, C.D. 1	"RELATING TO EDUCATION."
H.B. No. 1630, H.D. 2, S.D. 2, C.D. 1	"RELATING TO TECHNOLOGY WORKFORCE DEVELOPMENT."
H.B. No. 598, H.D. 1, S.D. 1, C.D. 1	"RELATING TO EDUCATION."
S.B. No. 1154, S.D. 2, H.D. 2, C.D. 1	"RELATING TO THE UNIVERSITY OF HAWAII."
S.B. No. 795, S.D. 2, H.D. 1, C.D. 1	"RELATING TO BUILDING CODES."
S.B. No. 837, S.D. 2, H.D. 2, C.D. 1	"RELATING TO AGRICULTURE."
H.B. No. 1231, H.D. 2, S.D. 2, C.D. 1	"MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."
H.B. No. 667, H.D. 1, S.D. 2, C.D. 1	"RELATING TO KUKUI GARDENS RENTAL HOUSING COMPLEX."
H.B. No. 835, H.D. 2, S.D. 1, C.D. 1	"RELATING TO HOUSING."
H.B. No. 1605, H.D. 1, S.D. 1, C.D. 1	"RELATING TO TRAFFIC CONTROL."
H.B. No. 1212, H.D. 2, S.D. 2, C.D. 1	"RELATING TO THE JUDICIARY."
H.B. No. 1200, H.D. 1, S.D. 2, C.D. 1	"RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."
H.B. No. 869, H.D. 1, S.D. 2, C.D. 1	"MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES."
S.B. No. 1853, S.D. 2, H.D. 2, C.D. 1	"RELATING TO NATIVE HAWAIIANS."
S.B. No. 1382, S.D. 1, H.D. 1, C.D. 1	"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
S.B. No. 1388, S.D. 1, H.D. 1, C.D. 1	"MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
S.B. No. 990, S.D. 2, H.D. 3, C.D. 1	"RELATING TO PETROLEUM INDUSTRY MONITORING."
S.B. No. 1946, S.D. 2, H.D. 2, C.D. 1	"RELATING TO DAM SAFETY."
S.B. No. 1228, S.D. 1, H.D. 1, C.D. 1	"RELATING TO HISTORICAL PRESERVATION."
S.B. No. 1026, S.D. 2, H.D. 3, C.D. 1	"RELATING TO SOLID WASTE."
S.B. No. 1882, S.D. 2, H.D. 1, C.D. 1	"RELATING TO TAXATION."
H.B. No. 436, H.D. 1, S.D. 1, C.D. 1	"RELATING TO HUMAN SERVICES."
H.B. No. 718, S.D. 2, C.D. 1	"RELATING TO KAKAAKO."

H.B. No. 15, H.D. 2, S.D. 2, C.D. 1 "RELATING TO EDUCATION."

Sen. Com. No. 890, dated May 1, 2007, informing the House that the Senate has this day discharged all conferees on the part of the Senate to the following bill:

S.B. No. 798, SD 3, HD 2 "RELATING TO DISASTER RELIEF."

Sen. Com. No. 891, dated May 1, 2007, informing the House that the Senate has this day overridden the Governor's veto by a two-thirds vote of all members to which the Senate is entitled to the following bills:

S.B. No. 14, SD 1, HD 1	Governor's Message No. 768
S.B. No. 1063, SD 1, HD 1	Governor's Message No. 794
S.B. No. 1642, SD 1, HD 1	Governor's Message No. 793
S.B. No. 1816, SD 1, HD 1	Governor's Message No. 803
S.B. No. 1956	Governor's Message No. 787

Sen. Com. No. 892, dated May 1, 2007, informing the House that the Senate has on April 27, 2007, reconsidered its action taken on April 12, 2007, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 620, SD 1, HD 1 "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PREPARATORY ACADEMY."

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Pine introduced her staff, Ms. Lisa Shorba, Ms. Anne Atkinson, and Office Manager, Mr. John Gollner.

Representative Finnegan introduced her staff, Ms. Hallah Nilsen, Mr. Steven Antonio, Ms. Keao Dang, and Office Manager, Ms. Carrie Kealoha

Representative Ching introduced her staff, Office Manager Ms. Katie Churchey, Mr. Raymond Lee, Ms. Colette Devou, and Ms. Ashley Ehrenreich.

Representative Ching also introduced the Executive Director of the Daughters of Hawaii, Mr. David Scott.

Representative Magaoay introduced his staff, Ms Judy Fomin and Mr. Jonathan Ramil.

Representative Karamatsu introduced Assistant Communications Director, Ms. Kim Fassler.

Representative Caldwell introduced former Senator Randy Iwase.

Representative Evans introduced members of the Daughters of Hawaii: Second Vice Regent, Ms. Shelly Monsarrat; Ms. Geraldine Abbey Miyamoto; First Vice Regent, Ms. Lee Wild; and Mr. Dale Bachman.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following resolution was re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
126	Committee on Higher Education

At this time, Chair stated:

"At this time Members of the House, the Chair will be taking Conference Committee Report No. 143 out of order."

UNFINISHED BUSINESS

Conf. Com. Rep. No. 143 and H.B. No. 1292, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee and H.B. No. 1292, HD 1, SD 2, CD 1, be recommitted to the Committee on Conference, seconded by Representative B. Oshiro.

Representative Souki rose to speak in opposition to the motion to recommit, stating:

"Mr. Speaker, first of all, I was the author of this bill and I understand why it's being done. I do not approve as to what has happened in the Senate in amending this particular bill and I just want this House to be aware of the manner in which this bill was handled in the Senate. Thank you very much."

At 9:27 o'clock a.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:28 o'clock a.m.

Representative Finnegan rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, I am going to vote in support of the recommittal, however, I just am regretful that the Senate decided to also make that amendment to what was otherwise a good bill that could have served us well."

The motion was put to vote by the Chair and carried, and the report of the Committee and H.B. No. 1292, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were recommitted to the Committee on Conference with Representative Souki voting no, and with Representatives Bertram and Takamine being excused.

At this time, the Chair stated:

"Members at this time, on page 5, House Bill No. 1359, the Chair will be taking Conference Committee Report No. 156 out of order."

Conf. Com. Rep. No. 156 and H.B. No. 1359, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee and H.B. No. 1359, HD 1, SD 2, CD 1, be recommitted to the Committee on Conference, seconded by Representative B. Oshiro.

At 9:29 o'clock a.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:33 o'clock a.m.

Representative Finnegan rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I speak against the recommittal. Mr. Speaker, I understand that there may be a flaw in the bill, and despite that, we've passed out bills that have had flaws before and I haven't had the chance to take a look into details on whether or not that flaw is going to be something that kills the meaning of this bill. However, I did really support the underlying bill of this State pharmacy assistance program, and so one of the concerns on it was that we would need CMS approval. CMS has already given approval to states who have done this already.

"So, the approval from CMS is most likely from what I understand from our Department of Human Services. It's just a matter of communicating that with CMS with this language. So, I do speak against the recommittal and was hoping that we could see this through. Thank you."

Representative Pine rose in opposition to the motion to recommit and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in opposition to the motion to recommit, stating:

"Mr. Speaker, I also speak against the recommittal. Mr. Speaker, this reommittal is 'penny-wise and pound-foolish'. What we're throwing away is a huge amount of discounting on drugs for the people of Hawaii. With H.B. 10, which is touted as the best way to go, with that bill you can get a one dollar discount, and we have to take it. We have to eat it. With the bill that we're recommitting, we can get huge discounts on drugs.

"I don't see the logic of it. I see the legal twist, but in terms of what we're saving for the people of Hawaii, we are 'penny-wise and pound-foolish'. Thank you."

Representative Meyer rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I'm also voting no on the recommittal. This just is a much more comprehensive program and would assist many more people. Thank you."

Representative Ching rose and asked that the Clerk record a no vote for her on the motion for recommital, and the Chair "so ordered."

Representative B. Oshiro rose to speak in support of the motion to recommit, stating:

Mr. Speaker, I rise in support of the recommittal. Very briefly, I just want to counter some of the arguments made. I think that the potential savings to be realized by this bill is very, very speculative. Contrary to what some other speakers have said, I don't believe any states have gotten the CMS approval yet, although currently there are a couple of states that have looked at this potential alternative.

"None, yet, have gotten that CMS approval. Instead, what we should go forward with is our Hawaii Rx Plus, which I think is a definitive way in which we can provide the savings and relief to Hawaii's consumers."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. In just brief rebuttal. My understanding is, yes, other states have already received approval from CMS. The second thing is in regards to the discount. At this point and time with Hawaii Rx, the discount is unknown. If you want it more definite, you would have that with the CMS approval and the SPAP because they already give rebates for federal programs, so that is actually a more definitive way to get a definitive type of rebate. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1359, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM," were recommitted to the Committee on Conference, with Representatives Ching, Finnegan, Meyer, Pine and Ward, and with Representative Bertram being excused.

At this time, the Chair stated:

"Members, can you turn now to page 8. At this time, the Chair will be taking Conference Committee Report No. 179 out of order."

Conf. Com. Rep. No. 179 and S.B. No. 1034, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee and S.B. No. 1034, SD 2, HD 1, CD 1, be recommitted to the Committee on Conference, seconded by Representative B. Oshiro.

Representative Souki rose to speak in opposition to the motion to recommit, stating:

"Yes, Mr. Speaker. Again, I wish to speak against the recommital of this measure. I can understand the reason for the recommittal because the bill itself doesn't provide enough relief that was originally called for. But, again, I believe it was the method and manner in which the Senate handled the bill in returning a flawed bill to the Committee. Whether it was by design or not, I don't know, but it came from the Senate as a flawed bill. I want this on the record. Thank you very much."

Representative Meyer rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I'm rising in opposition, too. I can't say it much better than the Representative from Maui, but I guess, I just want to emphasize it's just a shame. These businesses could use this tax relief. And I wholeheartedly agree with the speaker from Maui. These local airlines need some kind of relief. It's a very competitive business and the huge increase in the cost of fuel is impacting them and it's just a shame that the shoddy work done from our friends on the other side of this building have put this bill out. And, so, if there is to be any help for these industries, they have to wait at least another year and a half. Thank you."

Representative Ward rose to speak in opposition to the motion to recommit, stating:

"Mr. Speaker, I also rise in opposition of the recommittal. Mr. Speaker, this was a good bill because it was intended to save our airlines a lot of money. And, you know, the airline industry is in deep trouble. If what the Senate did was to be blamed as the good speaker from Maui said, it is clearly at their feet. I would go one step further, Mr. Speaker, and say that they took their eye off the ball because they put their on Peter Young and they forgot some of the details of what their responsibilities were. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. Even though I echo some of these comments, I will be supporting the recommittal, but I would like to adopt the words of the Speaker Emeritus, as well as the speaker from Hawaii Kai," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee and S.B. No. 1034, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Conference, with Representatives

Meyer, Souki and Ward voting no, and with Representatives Bertram and Nishimoto being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar. (Representatives Bertram and Nishimoto were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 121 and S.B. No. 709, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 709, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. Mr. Speaker, through the years, I've come to realize, as many of my colleagues, that one of the problems with government is that we don't have enough data. We don't measure where we're going, we don't have as a road map a way of seeing where we're going and how we've done. I think as 'Alice in Wonderland' said, 'If you don't know where you're going, any road will get you there.' And I think this is that road map to say where we're going, where we've been, how much it takes to go further and how we're doing along the way. Thank you."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Senate Bill 709, CD 1 Relating to Economic Development, will improve the State's ability for access and the progress in creating an innovation economy, including such industries as ocean sciences and technology, biotechnology, life sciences, astronomy, film, creative media, diversified agriculture, aquaculture, and specialized tourism. This bill appropriates funds to DBEDT to hire economists to collect, analyze, and publish research data to track the economic progress and develop targeted growth industries. Thank you very much."

Representative Finnegan rose in support of the measure and asked that the remarks of Representatives Ward and Yamashita be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Yamashita be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Waters rose to speak in support of the measure, stating:

"Thank you. In strong support. The future looks bright, I hope the future looks bright, thanks to all the hard work that our Committee Chairman of Economic Development has done on this bill. And he would not be out of place if he said, "Don't hate me 'cause I'm fly.' Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 709, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 122 and S.B. No. 810, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 810, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I just wanted to say that I support this measure and I would like to acknowledge the work of the Chair of Health on the Senate side for his efforts to lead our taskforce in Pearl City as it relates to the usage of Waimano."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 810, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANO RIDGE," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 123 and S.B. No. 1115, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1115, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"In strong support, and I would like written comments in the Journal. And I'd just like to say this continues our fight against ice, and particularly, helping pregnant women who are using substances to help them have healthy babies. Thank you."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, last year Act 248 established funding for a pilot clinic to provide comprehensive prenatal, delivery, and postpartum care and social services on the Island of Oahu to women who have a history of methamphetamine and other substance use. That Act was extremely important because it provided women who are or have been substance abusers a place to get treatment without the fear of criminal prosecution.

"This bill, Mr. Speaker, appropriates funds to the Department of Human Services to continue funding the pilot perinatal clinic at the University of Hawaii and provides case management services. Pregnant women need to have good perinatal care, especially women who might be, or might have been substance abusers. I urge my colleagues to support this measure because, as the Drug Policy Forum of Hawaii testified, "without the clinic, services that provide appropriate healthcare to substance using pregnant women to ensure the birth of a healthy baby are either extremely limited or unavailable.""

Representative Waters rose in support of the measure and asked that the remarks of Representative Lee be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1115, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 124 and S.B. No. 1170, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1170, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you. In support, Mr. Speaker. This will provide TANF funds for this program."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1170, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 125 and S.B. No. 932, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 932, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise with strong support. This was something we started at the very beginning of Session with the concept of reintegration and re-entry into the community. I think it's a great omnibus bill that tries to address what happens when offenders return to our community, because they do come home. And, so it's a great start at looking at what happens in that last year.

"In Hawaii, so many of our offenders are really drug-related offenses. The really violent, serial criminal doesn't really exist in Hawaii. There's a few of them. I visited where they hold them at Halawa. There's less than ten in this State. So mental health issues, drug treatment issues are real prominent in our offender population and I really think this bill moves us in the right direction to start addressing that and I thank you for the support of my colleagues for this."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support of this measure. Over the years I've learned so much about recidivism, how prison inmates when they come out, they're not quite prepared to enter back into the community. What this bill does is it definitely starts to head in that direction where it prepares them to go back into the community to provide them with a more successful living arrangement when they get out.

"Recidivism or the revolving door of the prison system is unacceptable, Mr. Speaker, and I just really wanted to recognize the people who have worked so hard on this issue. There are a lot of different ways where we can give prison inmates a second chance back into the community and this starts to do that. It's a commitment that I think that all of our Members here are for and it should deserve all the strong support that it gets. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise also in strong support of this measure. It is said that 40% of our prisoners that are released from prisons go back to the prison system within two years. Forty per cent is a high percentile and the cost of incarceration is in the millions. I think it gives us strong savings to look into that first year or the second year when they get out to society. That we need to nurture them and take care of them and invest resources to their well being.

"It is also said that 40% of people in jail have comorbidity, like mental illness. So, if they had a reason to go in prison, if you don't do anything by the time they come out, they will then have another reason to go back. So, I think this is a worthwhile investment and I'm glad that this House is in support of it. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Sorry, Mr. Speaker. I forgot to say one other thing. What this bill does is it doesn't say that we're going to shorten sentences or anything like that. All it does say is that whatever consequences that happened throughout your trial or whatever time you have in prison, all it says is that before you are released that we will prepare you for a better success rate in the community. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 932, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE OFFENDER REENTRY SYSTEM," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 134 and H.B. No. 104, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 104, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I was going to stand up right away. In very, very strong support. We set out this Session all knowing only too well that the healthcare system was in need of some support. Across the board we've all heard that healthcare is in jeopardy in the nation, but also in Hawaii because our hospitals perpetually are under-funded by Medicare and Medicaid. That the private insurers also are having difficulty providing adequate reimbursement at the hospital level, and, frankly, even physicians and nurses are finding it difficult to stay in private practice and provide the care that we all need.

"This bill demonstrates a unique and profound commitment to our healthcare system, financially. We're going to see real resources that are going to be augmented by federal match and then some. So our healthcare system got healthier with this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 104, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 135 and H.B. No. 531, HD 3, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 531, HD 3, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, I stand in support of this measure because this insures our often-forgotten children with special needs will receive the proper educational services that will best fit them. Part C of the Individuals with Disabilities Education Improvement Act requires states to provide early intervention services to special needs children in a natural environment, such as their home or elsewhere. However, these individualized services are available for them only until they reach age three. Simply, what that means is once they reach age three in one day they're no longer allowed to have these specialized services.

"At this time, Part B of the Act directs states to provide special education and related services in a least restrictive environment

which sends these children into their classroom. They're now considered special ed kids, but we need more than that because some of these children suffer from substantial delays with their cognitive skills, their adaptability, language barriers. Because of this, we have to have something that will help this group. The target group that I'm talking about would be children three to five. This measure would cover that group.

"The problem that the children have once they make three years of age is that they're still nevertheless behind developmentally. Some of these children are not ready for special education due to developmental and medical needs. They need extra time, nurturing and training to mature. They need more than just educational services. They need proper behavior and intervention which special education doesn't necessarily address.

"We all know that a change in environment can be substantial for children. It can help them, it can also hurt them. The transition from home to school is often a difficult one and in some instances, for special needs children, the transition can be disastrous, especially when special education doesn't ensure that the training personnel or proper resources are available to them.

"To give you a quick example, we have a person that we know that represents Cure Autism Now and her son, actually, he's four years old, he wears a helmet and there's a room for him, it's padded. The reason why is he suffers from autism. One of the characteristics is you just run and you run into things. Your motor skills are delayed. What happens is, Mr. Speaker, is if we have some of these children that are substantially delayed in some of their skills, you'll have a classroom with many of these children running into each other or running into the wall, hurting themselves and possibly other children.

"This measure would cover all those children. This would have a taskforce and it'll be able to guide us with a proper measure to protect them. So, for those reasons, I support this measure and hope all of the Members support this measure. Thank you, Mr. Speaker.

Representative Green rose to speak in support of the measure, stating:

"Mr. Speaker, very briefly in support. I'd just like to dedicate this bill to Gabriel and Matthew, two children of proponents of the measure who spoke passionately at the Health Committee throughout the Session."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 531, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 136 and H.B. No. 226, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 226, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this measure. Mr. Speaker, the United States is finally waking up to the climate crisis and calling on its leaders to take action When House Bill 226 is enacted, Hawaii will be at the forefront in aggressively reducing its contribution to global climate change. And Hawaii should be a global leader on climate change not only because we face serious harm from climate change, but because we are in the best position to demonstrate to the world how to power our economy sustainability. This is the commitment we are making today by the passage of this bill.

"Global climate change not only threatens Hawaii's environment and economy, but it may dramatically alter our way of life. Current scientific consensus predicts a future very different from the one to which we are accustomed. The Pacific Ocean may inundate most of Waikiki, the business district in Honolulu, and the coastal resort areas on the other islands. Our island aquifers may become increasingly contaminated through salt water intrusion. More severe storms and hurricanes may pummel the State. Droughts may be more prolonged, and the subtle shifts in our island's microclimates may rapidly increase extinctions of endangered plants and animals and increase the viability and spread of invasive species.

"Science tells us there is no escaping some of the consequences of global climate change. But if we act quickly and collectively, we may have a chance to stave off the most severe impacts. For many years now we have talked about the need to reduce our dependence on imported oil and transition to clean, indigenous energy sources. Unfortunately, in 2007, we are consuming more fossil fuels, and emitting more greenhouse gas than any other time in Hawaii's history. The measure before us starts the process of deceasing our statewide greenhouse gas emissions so that we can get back to our 1990 emission levels by 2020. That level is roughly 15% less than what we are currently emitting statewide. But more critically, it is approximately 25% less than the amount of global warming pollution Hawaii would be emitting in 2020 under the 'business as usual' scenario if nothing changes.

"Today, the atmosphere contains 381 parts per million (ppm) carbon dioxide. This is more than any other period in the past one million years and that number continues to grow. Scientific evidence suggests if atmospheric concentrations of greenhouse gases stabilize at or below 450 ppm, humankind has a good chance of holding global average temperature increases below 3.6 degrees Fahrenheit and averting the most severe impacts of global warming. Achieving the goal of stabilizing greenhouse gas concentrations at or below 450 ppm, climatologists believe, will require reducing greenhouse gas emissions 80% of their 1990 levels before 2050. House Bill 226 puts us on the track to meet that goal by starting a steady decline in our annual greenhouse gas emissions.

"Some may ask why Hawaii should take the lead when our contributions to the global problem is nominal. The fact is Hawaii has zero, none, indigenous fossil fuel sources. Nearly all our greenhouse gas emissions start off as expensive carbon imports. Some accept that global climate change is a problem, but fear regulating something so pervasive as carbon dioxide would put the brakes on our economy. The truth is exactly the opposite. Carbon dioxide pollution represents inefficiencies in our economy. The vast majority of that carbon has been imported from Indonesia, the Middle East, and other areas at a cost of over a billion dollars annually to our State.

Representative Takumi rose to yield his time, and the Chair, "so ordered."

Representative Morita continued, stating:

"Thank you, Representative Takumi. These dollars should stay in our State, right here in Hawaii, paying for good, green collar jobs in the clean energy industry. Some laugh at the prospect that renewable energy providing much of our power needs, saying that wind, solar, ocean, and other resources could never give us the muscle that today's dirty power plants provide. I say, nonsense. Germany, at 51 degree latitude, has far more installed photovoltaic power than the capacity of all of Hawaii's power plants combined. However, Hawaii's long-term solution will not only be solar, but a mixed plate of energy solutions including new energy storage technologies, like hydrogen, magnetic, electrical, or even pumped water, that will keep the power steady and enable us to power our homes, cars, and perhaps even airplanes. Is this difficult to imagine?

"It would be equally difficult to ask someone 20 years ago to wrap their minds around the concept of "Google" or all of these wireless

laptops sitting on our desks today with the ability of people streaming on their computers to view us in session right now. But the money interests that invested in these technologies have turned their interest into renewable and green technology. We really should be taking notice of all the Silicon Valley types, noted venture capitalists, who are investing in renewable energy and green technologies. Setting this emission limit sends a clear market signal to the world that Hawaii is open for business for clean energy investments.

"We have witnessed a sea of change over the past year in public acceptance of the science behind global climate change. People realize that humans are a force of nature who are taking personal action to reduce our own 'four pounds per hour' of global warming pollution by driving less, installing compact florescent lights, or installing solar on their homes. We can all change our habits, but we also need to change some laws. This is what we're doing today.

"Mr. Speaker, everything I have shared with you on this measure is eclipsed by one thing: our moral duty to act. The world's leading climate scientists are telling us we have a narrow window to act to avert the most severe impacts of climate change. Given what we know today about this crisis, history will judge us harshly if we choose inaction.

"In the 1930's, Winston Churchill wrote of those leaders who refused to acknowledge the clear and present danger of the 'gathering storm' in Europe at that time and I quote him: 'The era of procrastination, of half-measures, of soothing and baffling expedients, of delays, is coming to a close. In its place, we are entering a period of consequences.' We are entering a period of consequences with global climate change.

"It is time for Hawaii to take responsibility. House Bill 226 is a meaningful, but measured approach to begin the long process of reducing Hawaii's contribution to global climate change. I urge my colleagues to join me in strong support of this historic and very important measure. Thank you."

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support, and wish to ask the very poetic words of our Representative from Kauai to be entered as my own," and the Chair "so ordered." (By reference only.)

Representative Berg continued, stating:

"I also wish to add just a few more comments to say that I'm really, really proud of this bill and I'm sorry I wasn't on the Committee to be part of the dialogue. This bill is more than about greenhouse gas emissions, Mr. Speaker. This is about authentic economic diversity. It is about offering a vision to engage our community in something bigger and, as you know, the mantra of the Senate has been sustainability. It is also our mantra, but in a very, very grounded way, and I'm very proud that this bill is coming through the House and it's emanated from us.

"It is my hope that the information from the bill and the motivation generated by the bill will be integrated into the 20-50 sustainable plan. One of the things I'm also proud about our House is that in 2006 we passed the measure to encourage the Governor and mayors and our Congressional delegation to support the Kyoto Treaty. This year, through the House, we also passed the measure to embrace the U.N. Earth Charter. Unfortunately, it was compromised in the Senate. We also passed the U.N. millennium goals.

"In keeping with this particular bill, which is founded on the United Nations Intergovernment Panel on Climate Change their assessment on the predictable impact of climate change, I'm really proud to be part of this discussion and hope that this will then land the framework for the House to take leadership with regards to sustainability. And in the words of Ronald Reagan, I shared it when we talked about the kids, we have a 'rendezvous with destiny', and I'm really happy to be part of the House at this time, with this bill and leadership. Thank you."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you. Mr. Speaker, I rise in support of the measure and I would like to make some comments. Mr. Speaker, first, I would like to thank the community members throughout this State and actually the nation who have sent us e-mails, faxes or called to say we need to take this step and watching us every step of the way during the difficult process of getting to where we are today. I also would like to thank two local organizations that have been so key in improving this bill, and that is, Life of the Land and the Sierra Club. They have worked very hard to improve it. It's maybe not where they would ultimately like to see us be, but they agree that it's a good first step, I believe.

"Hawaii doesn't have any law on the books at this point reducing or affecting greenhouse gas emissions that we create as a State, as a people. After today, and when the Governor signs the bill, as I am sure she will, we will have such a law. And I think that's a positive step forward. It's the initial step and that's what I would like to say to my colleagues. We need to do more in the coming years. We are setting up a taskforce. To me, it's a bit slanted toward industry that will be affected. There will be four members versus two members from the environmental groups. So, we're setting up a taskforce that we need to watch. We need to make sure that they are taking serious steps and moving us forward.

"The second thing that we are doing is once the limit is established, there will be an eight year window up to the year 2020 before the standard has to be met. There's no requirement for incremental steps in getting there. So, we could have some of the more serious polluters waiting until the year 2020 and then throwing up their hands and coming to whoever will be in this body at that time saying, 'We need to have relief from this.' So, I think we need to put in incremental steps so we can move ahead. The Kyoto Protocol which was mentioned by my colleague requires a five per cent reduction from 1990 levels by the year 2012. That's a very good immediate objective to achieve.

"I think we need to watch this. We've taken a wonderful first step, but, remember, the responsibility rests on our shoulders to keep on pushing further and further and further, so we become the leader in the nation and the leader in the world showing what can be done, and, in doing so, we would be tapping our renewable energy resources and moving us off the polluting fossil fuel. Thank you, Mr. Speaker."

Representative Green rose in support of the measure and asked that the remarks of Representative Morita be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support also. And first, I'd like to incorporate the comments of the Chair of Energy and Environmental Protection as if they were my own. And would also like to point out, Mr. Speaker, that this was a very united effort by many different people, including the Chair of Health, the Vice Chair of Judiciary, along with the Chair of Energy and Environmental Protection. You will see a blending of the language from the three of these individuals and a great deal of work went into this.

"We can be proud of the fact, Mr. Speaker, that we will be the second state in the nation, after California, to have made a very strong, bold step on greenhouse gas emissions and controlling it for many future generations. And as the Chair of Energy and Environmental Protection mentioned, even though we are a very

small state, it is our moral duty to act, and we can be proud of the fact that we are acting. Thank you very much, Mr. Speaker."

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support and I would like to adopt the words of the Representative from Kauai, Hanalei, and the Representative from Aina Haina and to say a few comments. Mr. Speaker, like the Representative from Aina Haina, I, too, am proud and have been privileged to sit on the Conference Committee, but also, as the Vice Chair of Energy and Environmental Protection. I'm very proud to be a part of this legislation and proud of our body to support such a thing. And I'd also like to echo the support that we've received from the community, who without their support and organizations who have kept on top of us, and informing us, and sharing their input. It really makes a difference. So, in strong support, and I thank you."

Representative Ward rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Mr. Speaker, this is a good bill with a good beginning. I would only say that we need to remember that we need to think globally about global warming. And I say that so we're not myopic about it because just in from Bangkok is a rather shocking report. I said Bangkok where the climate treaty is going on, and not Kahaluu.

"It says that rice patties blamed as big contributor to global warming. The Intergovernmental Panel on Climate Change meeting this week in Bangkok concludes that rice production was a main cause of rising methane emissions in the twentieth century. Rather surprising. I'm not making this up. If those of you who read the *Advertiser*, this was in Wednesday's paper, yesterday. It said there is no other crop that is emitting such a large amount of methane gases. The gas is emitted through the plants or directly into the atmosphere because there is a decomposition of manure as fertilizer and other organic matter in the oxygen environment. Rising levels of methane accounts for 23% of the warming potential in the atmosphere, reports the U.S. Environmental Protection Agency.

"That's rather shocking, Mr. Speaker. Twenty-three per cent coming out of methane, coming out of the rice fields, and what do we all eat in this Chamber, and what do we eat in Asia? Rice fields. My point is that when we think about global warming, let us remember to think globally. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In an effort to have a little bit of balance here, I'm voting no on this measure. I see that we have joined the other European countries to join in on the Kyoto Protocol. I just wanted to share some information about that. Even as Europe preaches to the United States on the necessity to cap carbon dioxide emissions, Europe's emissions are climbing faster than those of the United States. Recent figures from the International Panel on Climate Change show that from 2000 to 2004 greenhouse gas emissions increased by 2.1% in the European Union, but only 1.3% in the United States. Neither amount is a dramatic increase, but Europe is supposed to be reducing its greenhouse gas emissions, not increasing them.

"Almost all the global warming policies have high cost and yield little benefit. The chanters of the global warming mantra want us to believe Europe is doing something and that we should be doing something, too. Indeed, Europe has done something. They have raised prices and not lowered carbon emissions. It seems like everybody in this Chamber wants to march to the music of the 'Music Man', Al Gore. And there's no question in the press, the majority of stories on global warming are talking about drastic reactions.

"I have some prepared remarks, which I would like to read. This bill would give the Department of Health ultimately sweeping new powers to regulate industry for the purpose of reducing greenhouse gases. It was a very eloquent summary of why we shouldn't be passing this bill in the May edition 2007 of *Liberty Magazine*. It's a rather lengthy article, so I won't try to go into all the specifics, especially since the article has the humorous subtitle, 'The planet has a problem caused by too much hot air.' And I don't believe they're referring to carbon dioxide. That's when you're supposed to laugh.

"Thank you, Mr. Speaker. Basically, they are what might be called the narrow theory of global warming and the grand theory of global warming. The narrow theory is what is discussed in the recent report issued by the IPCC, the Intergovernmental Panel on Climate Change. Basically, this theory posits three fundamental hypotheses. One, the Earth's climate is warming. Two, this warming is exacerbated in part by the generation of CO2 and other human-caused greenhouse gases. Three, this warming might induce significant wide-scale ecological changes.

"Note that while the majority of climate scientists are convinced that these three hypotheses are likely true, a significant minority of scientists dissent from this view. There simply isn't complete convergence of scientific opinion on this, such as we have with the theories of gravity or the theories of evolution. In fact, the IPCC report only places an 80% confidence level on this narrow theory. A far cry from the virtual certainty that many politicians and special interest groups would have us believe exists."

Representative Finnegan rose to yield her time, and the Chair, "so ordered."

Representative Meyer continued, stating:

"But even if you are inclined to believe this narrow theory, it is a far cry from the grand theory being promulgated by the likes of Al Gore. These have 12 fundamental hypotheses. The world is warming dramatically. This warming is unlike any other warming or cooling in the history of the planet. This warming is caused almost entirely by humans' burning of fossil fuels, no talk of volcanoes. If we keep burning fossil fuels at the present rate, warming will accelerate and increase without end. The result of warming will be a huge increase in the number of ecological, meteorological disasters, which we will see in biblical proportions. These disasters will not be counterbalanced by any favorable effects of warming. Both warming and disaster will occur with such rapidity that mankind will be unable to adjust. Number eight, the process can be reversed or controlled by drastically curtailing the use of fossil fuels. Nine, the only way to do this is by drastically curtailing the use of fossil fuels. Ten, the best plan is to slash the use of fossil fuels in the United States and other countries of the developed world while leaving the less developed world, including Brazil, India and China, alone. Use of fossil fuel can be best curtailed by the exploitation of wind and solar power and by massive conservation. Twelve, whatever this will cost directly and in directly will be less than the cost of the damage wrought by continued warming.

"This grand theory, which is in the underlying theory behind the bill at hand is a wide-ranging world view that includes theories that are well beyond the purview of climate scientists. If you read the carefully hedged IPCC report, which is full of caveats and qualifications, we simply won't see such a radical, unequivocal set of statements because these hypotheses are largely speculative and not backed up by studies, Mr. Speaker. And, in fact, they are primarily statements about economics, not climate science, which the IPCC is simply unqualified to address.

"The bottom line, if the regulations on business contemplated in this bill were implemented, it would certainly greatly harm our economy and cost many people their jobs. Thus these regulations would without the slightest shadow of a doubt, fail to make any discernable impact on the global climate. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"In support with reservations. My reservations have mainly to do with whether we're going far enough, fast enough. We've known since the early 90's that there was a very real possibility that burning of carbon was changing our climate dramatically. We really should be at steps two and three now, and not be looking at step number one by year 2020, so I support the bill. A lot of good work has gone into it and I just think we need to move faster. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I ask that the words of the speaker from Kailua be entered as my own. I want to thank those that worked on this bill and I do want to just put in my own thoughts.

"I think that we've been studying the effects of global warming, I believe, from the '70s on. And a number of people were talking about this early on, so I don't know about maybe some of the '90s. But in all due respect to my good colleague, for myself, I actually took a course on environmental protection in college. And I've known that, I think that we do have to be very judicious about knowing that fossil fuels and a number of the other pollutants we put out, they have adverse effect on our environment. In the long run, I know this is probably going to cost, but in the long run, we have to take preventative measure for a healthy world.

"We cannot control what other countries do. I wish we could in particular parts of Asia. I really wish we could. However, like in most things, we can only control ourselves. Thank you."

Representative Meyer rose to respond, stating:

"I have prepared some remarks. I expected the Majority Leader to ask me what planet I was from, but he's left the Chamber, and I would like to read the remarks that I was going to get up in rebuttal. I mean it's hard to balance this Chamber.

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. She's not rebutting anything on this point."

Representative McKelvey rose to speak in support of the measure, stating:

"In strong support, and may I ask a question of the speaker from the North Shore? What planet are you from?"

Representative Meyer: "I'm from Earth, and I sometimes wonder where the rest of you are from. I would appreciate it if I could put these …"

Speaker Say: "Yes, it could be inserted in the Journal."

Representative Meyer: "No, I would l like to read them because they add to the other remarks."

At 10:22 o'clock a.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:22 o'clock a.m.

Representative Meyer continued, stating:

"Thank you, Mr. Speaker. I did have some additional remarks to make. I wanted to quote some scientists that are on the other side of this issue.

"Sally Baliunas an astronomer, from the Harvard-Smithsonian Center says quite simply, the recent warming trend in the surface temperatures records cannot, I repeat, cannot be caused by the increase of human-made greenhouse in the air.

"Robert Carter, a geologist from James Cook University in Australia says, the essence of the issue is this. Climate changes naturally all the time. Partly in predictable cycles and partly unpredictable. And some of the causes remain unknown.

"William Gray, a professor from Colorado State, says the small warming is likely the result of natural variations in global ocean currents and humankind has little or nothing to do with it.

"And, finally, Orrin Pilkey, a coastal geologist from Duke University says, assumption upon assumption, uncertainty upon uncertainty, and simplification upon simplification are combined to give an ultimate and inevitably shaky answer which is then scaled up to make long term predictions. The objectivity is laudable, but the fact that there are model weaknesses doesn't make the conclusions any stronger or more believable.

"Thank you, Mr. Speaker, for giving me the opportunity to add that into the record."

Representative M. Oshiro rose in support of the measure, asked that the remarks of Representative Morita be entered in the Journal as his own, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Over 30 years ago the Mauna Loa Climate Observatory first reported documented evidence of increased carbon dioxide levels in the earth's atmosphere. Since that time, the negative impact of global climate change has grown into an internationally recognized problem.

"While opponents of greenhouse gas emissions reduction efforts may argue that Hawaii's contribution of greenhouse gases to the atmosphere is nominal compared to that of other states, such as California, this should not diminish the fact that the Legislature has a responsibility to protect the fragile natural environment of this State. Indeed, the citizens of Hawaii take great pride in the beauty of our island home. It is what attracts visitors from around the world to our shores, and serves as a vital component of our cultural heritage. Moreover, should global trends continue, Hawaii will be immediately impacted as ocean levels rise and hurricanes become more severe and frequent. In this regard, I am in agreement with Vice President Al Gore and his challenge to this generation of leaders.

"Global warming has the incredible potential to adversely impact Hawaii's natural resources, environment, public health, and economy. Examples of negative impacts include rising sea levels, damage to marine ecosystems, extended drought, an increase in the spread of infectious diseases, and an increase in the severity of storms and extreme weather events. Moreover, given our remote location and the high investment in our coastal areas, Hawaii is more susceptible to being negatively impacted by climate change than other parts of the world. Consequently, climate change is not merely an environmental issue, but also an economic and health issue, with direct ties to our quality of life.

"This bill represents a measured and feasible approach to reducing greenhouse gas emissions in the State of Hawaii. This bill convenes stakeholders to develop a precise plan with an implementation timetable for emissions reduction by establishing limits for emission sources in conjunction with the employment of rules and penalties to attain reduction goals. The timeframe outlined in this bill for the careful adoption and implementation of a statewide reduction policy appropriately addresses the urgency that this issue warrants, while allowing sufficient time for the accurate collection of scientific

information to establish the maximum technologically feasible and cost-effective reductions.

"This bill reflects the sentiment resonating among many of Hawaii's people. From the local surfer on the beach to the school children learning about Hawaii's watersheds in science class – an intuitive sense of responsibility to protect our island home so that it may be enjoyed by our children and our children's children.

"During the 2006 election, I was asked what issue I felt most important for us to address. I answered that global warming and the effects upon us was the most important issue we faced and must address for current and future generations. By passage of HB 226 CD1, we demonstrate our sobering recognition of the challenge facing this generation, as well as the opportunity to make the change necessary to save our future generations. I am proud to be a member of this Legislature and it is with wholehearted support that I cast my "aye" vote."

Representative Ward rose, stating:

"Mr. Speaker. Point of information. Point of order. Where does it say in Mason's Rules that when someone is in the position to speak, when one stands to speak, that someone can call a recess, when they're in the process of speaking. Where does it say that in Mason's, Mr. Speaker? Thank you."

At 10:25 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:27 o'clock a.m.

Representative Ward continued, stating:

"Mr. Speaker, I've been informed that the custom and the practice, not the Rules of the House, supersede the Rules of the House. Sometimes, Mr. Speaker, it's rather impolite to do that. Thank you."

The Chair then stated:

"Representative Ward, it has been done in the past Sessions and throughout the years I've been here. It's just trying to run this House in a much more efficient manner at this point and time."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I request that the words of the speaker from Kahaluu be inserted as my own. After hearing the debate on this measure, I've been convinced to not to support this measure thanks to the speaker from Kahaluu, planet Earth. Thank you very much."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker and Members, I speak in favor of this measure, and probably for the first time in my career as a legislator if you would incorporate the remarks of the Chair of EEP as my own," and the Chair "so ordered." (By reference only.)

Representative Magaoay rose in support of the measure, asked that the remarks of Representative Morita be entered in the Journal as his own, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you Mr. Speaker. Mr. Speaker, I am in strong support of House Bill 226. Mr. Speaker, this piece of legislation requires the Department of Health to adopt reporting and verification of Statewide greenhouse gas emissions and to monitor and enforce compliance. This bill requires adoption of a Statewide greenhouse gas emissions limit equivalent to the Statewide greenhouse gas emissions levels in 1990 to be achieved by the year 2020. It also requires the adoption of rules to achieve the maximum technology feasible and cost-effective greenhouse gas emissions reductions and finally Mr. Speaker, this bill authorizes the adoption of market-based compliance mechanisms.

"Global climate changes caused by greenhouse gas emissions from fossil fuels have severe and perhaps irreversible effects, particularly in the State of Hawaii. We must therefore, act immediately to reduce greenhouse gas emissions if we expect to have any hope of slowing or reversing this process. We must aggressively, and I repeat Mr. Speaker, aggressively pursue a portfolio of energy efficient and renewable energy technologies.

"Carbon dioxide and other greenhouse gasses produced in Hawaii are relatively rapidly mixed into the atmosphere and, just as rapidly, contribute to a world wide problem. And because Hawaii imports all of its fossil fuels, energy use and greenhouse gas generation from crude oil production, transportation, and refining further contribute to global climate change.

"Mr. Speaker, in closing, we need to do more and do it faster in reducing greenhouse gas emissions. By doing so, it will take money, initiative, the will to do the right thing and do it right, and creative thinking. If we make the commitment, I believe we could go well beyond the 1990 figure by the year 2020.

"I urge this body, to put forth this piece of crucial legislation for the good of this State, our planet and most importantly Mr. Speaker for the future of our children. Thank you, Mr. Speaker."

Representative Morita rose to respond, stating:

"Thank you, Mr. Speaker. Just some brief additional remarks. The jury is already in on the science of climate change. The consensus of scientists is based on numerous peer review studies. The reports that the Representative from Kahaluu cites are usually scientists with no peer review studies in place. And all one has to do is follow the money as to who is supporting the skeptics of climate change. Most of the money can be traced back to Exxon Mobil, but a lot of the money is traced back to the oil companies. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 226, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Meyer and Sonson voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 137 and H.B. No. 90, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 90, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 138 and H.B. No. 899, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 899, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. This measure appropriates $450,000 for fiscal year 2007-2008 for the University of Hawaii Center for Conservation Research and Training (CCRT) for a pilot project to develop ecologically-sustainable strategies to improve soil fertility for the production of clean energy feedstocks and food crops. Dr. Kenneth Y. Kaneshiro, Dirctor of the Center for Conservation Research and Training will oversee the administration of this pilot program.

"As we all know, agriculture is an important industry in the State. The productivity of our farms is dependent on sufficient levels of available nutrients in the soil for plants to absorb. However, certain areas, especially tropical regions are nutrient deficient. Thus one of the major determining factors to a successful and sustainable agricultural industry whether for food or energy in Hawaii is an adequate and sustainable fertilizer regime.

"This pilot project will develop biomass-derived charcoal that can be used as a soil additive. The use of biomass-derived charcoal for soil nutrient enhancement will help to absorb and retain nutrients that plants need. Similar techniques have been used since ancient times and have proven to be successful. Also, because the charcoal retains the nutrients derived from fertilizer, it will minimize the need for continuous fertilizing and reduce the amount of polluted run-off entering our streams and the surrounding ocean.

"In addition to the absorption of fertilizer by the biomass-derived charcoal the process locks carbon into the charcoal and over time more and more carbon is sequestered into our soil. Thus, the measure addresses three problems at one time: (1) production of energy sustainability; (2) improving nutrient levels in Hawaii's soil, and (3) decreasing the amount of carbon greenhouse gases released into the atmosphere. "

"It is for these reasons that I ask for this Chamber's wholehearted and unanimous support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 899, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED STRATEGIES FOR STATEWIDE FOOD AND ENERGY CROP PRODUCTION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At 10:30 o'clock a.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 709, SD 2, HD 1, CD 1
S.B. No. 810, SD 2, HD 1, CD 1
S.B. No. 1115, SD 2, HD 1, CD 1
S.B. No. 1170, SD 1, HD 1, CD 1
S.B. No. 932, SD 2, HD 2, CD 1
H.B. No. 104, HD 2, SD 2, CD 1
H.B. No. 531, HD 3, SD 2, CD 1
H.B. No. 226, HD 2, SD 2, CD 1
H.B. No. 90, HD 2, SD 2, CD 1
H.B. No. 899, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 139 and H.B. No. 1221, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1221, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. At present, Hawaii's egg and dairy industries are in the state of crises teetering on the brink of collapse due primarily to high cost of feed for livestock production. Local farmers have reported that the growing demand for grain by new ethanol production plants have driven the cost of feed upwards to over 30% in the last year. As a result, feed costs now comprise approximately 70% of the total production cost for these local farmers compared to only 50% for mainland farmers with dire consequences for the industry.

"In the last year alone, two egg farms and one dairy farm have gone out of business, with another egg farm and dairy farm now threatened by closure. These closures have grave consequences, grave and far-reaching consequences and implications for everyone in our State. A declining livestock industry contributes to food security issues and results in greater dependence on the continental U.S to meet food needs. Should a natural disaster, dock labor dispute or shipping problem arise, the availability of perishable food would present a major issue.

"This measure then seeks to help our farmers by creating a dairy, chicken and egg revitalization and food security program that would cover up to 60% of their feed costs. Doing so, would provide existing dairy and poultry farmers with the financial assistance they need to stabilize their operations, expand herd and flock size, and make necessary farm improvements while encouraging the continued production of fresh milk and eggs for Hawaii consumers. For these reasons, Mr. Speaker, I urge your support for this measure. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, in the name of sustainability, I stand in strong support of this measure. And since we don't have enough infrastructure in the Leeward side, I would welcome agriculture to come to my side of the island. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support, but I do have some reservations. I think we all want to be able to buy fresh eggs. There's just no comparison between cold storage eggs and fresh eggs, but this bill, which appropriates $3 million each year of the biennium, that's $6 million, which is a lot of money in anybody's book, is a problem that's been created, I believe, because of the push to grow corn for ethanol. There's going to have to be a broad look at this because otherwise we're going to spend $10 a dozen for fresh eggs, or we'll just have to keep subsidizing this business.

"Because ethanol is subsidized, more farmers are growing corn for fuel, rather than for corn, and it's driven the price up, and we're seeing the results of this. We don't want our farmers to go out of business, but I just make the plea that we're going to have to look at a more global look because this isn't going to go away, and the amount of money that the industry will need in the future may be even more. And we can all remember what happened to sugar, when the subsidies went away. We couldn't grow it and be profitable. So anyway, that's my concern. Thank you, Mr. Speaker."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, this measure proposes to subsidize certain farming related industries in the State. Within the past year, two egg farms and a dairy farm have gone out of business. Two other egg and dairy

farms are currently threatened by closure because of the increase in the cost of production, due mainly to the rising cost of feed for livestock animals. This measure appropriates $3.0 million in general funds in both fiscal years 2007-2008 and 2008-2009 for the Agricultural Development Division of the Department of Agriculture to disburse to qualified producers of milk, pork, eggs, poultry, and beef, for the cost of feed; and to provide for the administrative costs of the Livestock Revitalization Program.

"Self-sufficiency is important to an isolated State such as ours. If these farms are allowed to close, the residents of the State will be forced to rely on and consume more and more imported goods. Mr. Speaker, dairy, poultry, beef and pork products are perishable in nature, relying on imported products creates an increased risk of food spoilage and resultant food-borne illnesses due to the fact that these products need to be shipped from overseas farms. By the time these products reach the consumer they are already a few days to a few weeks old.

"Also, Mr. Speaker, should there be a natural disaster or problems with transportation on the mainland, the State may face shortages of these essential food products. Furthermore, this measure gives the residents of the State the option to choose locally grown products and will encourage them to buy Hawaii first.

"In closing, I would also like to thank James Jim, Suzie and Mary Peterson of Peterson Upland Farm, Wahiawa for participating in the legislative process and providing important insight into Hawaii's egg industry and sharing their farming experience with us. This legislation will support local farmers like the Petersons whose farm has been in existence since 1910.

"I urge my colleagues' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1221, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 140 and H.B. No. 1211, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1211, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Waters rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Waters' written remarks are as follows:

"With respect to HB 1211, HD2, SD2, CD1, the appropriation amount and the fiscal year for same, as approved by the Finance Committee, are correctly stated in Conference Draft 1. I realize that the Judiciary has expressed serious concerns that the amount appropriated in the CD1 may not be enough to cover the additional costs for fiscal year 2007-2008 created by this measure. Even so, I have chosen to allow this measure to proceed to Final Reading rather than create a risk of non-enactment in future Legislative Sessions.

"I look forward to hearing from the Judiciary concerning further appropriation requests, if necessary, specifically and demonstrably arising from the impact of this measure after it takes effect."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support House Bill 1211, Conference Draft 1. By raising fees for court-appointed counsel and guardians ad-litem in Family Court cases, this bill provides just compensation for those who represent indigent parents and the best interests of our children in Family Court. The current compensation and inequity in pay between counsel in Family Court and their counterparts in criminal courts does not reflect the severity and importance of Family Court cases in which children can be separated from their parents and families can be torn apart.

"There is nothing more serious than our government reaching into our homes and taking control of our families. Such serious decisions on the part of our State should rest on the most intelligent arguments and best judgment possible. By providing just compensation for counsel and guardians ad-litem, we can attract and retain dedicated and competent individuals to give the interests of families and children in our community the serious consideration they deserve."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1211, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 141 and H.B. No. 855, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 855, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Conference Committee Report No. 141. This bill is dealing with workers' compensation I believe the bill has two bad provisions. One provision would require that the workers' compensation coverage continue for an allegedly disabled worker even after the employer or their health insurer denies further treatment. If the worker disputes a the ruling, the coverage would only end if the Director of the Department of Labor filed a determination that the coverage should end. Not only does this give a worker the power to unilaterally ignore a medically justified determination that the worker was able to return to work, but it could result in the Director of the Department of Labor being overwhelmed by a flood of such requests resulting in healthy workers malingering for months until the Director could get around to reviewing their cases.

"The other bad provision of this bill would prevent the Director of the Department of Labor from adopting, amending or repealing rules with the Governor's concurrence. He couldn't do that unless the Legislature first approved those proposed rule changes. This would be setting a precedent that's never been done before. Directors of departments, all the departments in the State have the right to promulgate rules, but this bill singles out the Director of the Department of Labor and says, any rule changes must come before the Legislature. We are a part-time Legislature. They must wait from year to year and then bring these rules in and the rules will not be adopted unless we adopt them first. Those are my concerns and that's why I'm voting no."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose to speak in opposition to the measure, stating:

"I fear that this bill is really bad for business. I am in strong opposition to this measure. I won't go into detail, but basically we are hurting businesses by passing a bill which will increase cost for

workers' compensation and I fear for our business climate here in Hawaii. I urge all Members to vote no. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support. Again, what we're forgetting here is the injured worker who is getting medical treatment, and what happens right now in the current system, Mr. Speaker, is when there's dispute, the treatment stops, even if you really are injured and should continue to get the treatments you can get better and get back to work and become a productive worker in the work force. And we're trying to correct that. And the Chair of Labor has worked hard to do that, and this bill is a step in the right direction to address that imbalance. Thank you, Mr. Speaker."

Representative Marumoto rose to respond, stating:

"I think employers are all very concerned about the medical care for their workers. They care about injured workers and we would certainly like to make sure that our injured workers receive as much care as they desire. However, our system pays out to too many people and we are unable to give, perhaps, sufficient care or adequate care to some of those that are really hurt.

"However, our system tries to address the problem and a person is able to collect Temporary Total Disability until his doctor says that the injured worker has received maximum medical improvement. Under this bill, yes, the treatment will continue, but even after a doctor has said the injured worker is ready to return to some type of work, you will have to wait until the Director of Labor convenes a hearing and that may be quite some time after the doctor says the patient is well until Temporary Total Disability will cease.

"It is an extremely difficult bill for employers to work with, to receive reimbursements for any unnecessary medical care for them, and it will increase workers' compensation premiums. So, this is why I feel that this bill should not pass. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 855, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 35 ayes to 14 noes, with Representatives Awana, Ching, Evans, Finnegan, Hanohano, Har, Marumoto, McKelvey, Meyer, Pine, Sagum, Thielen, Tokioka and Ward voting no, and with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 142 and H.B. No. 833, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 833, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

Thank you, Mr. Speaker. I rise with strong reservations on Senate Bill 833. I am concerned with the public policy precedent that we set today, should we pass this bill. The State Legislature, time and again, has reinforced this belief through the law that an employer must have the responsibility for insuring healthcare for its employees. Every business, regardless of what industry they engage in, should pay its fair share. This bill would go in direct contrast to this stalwart philosophy. We potentially open the door for other industries to seek a legislative exemption from this duty to its employees and will further erode the reputation that Hawaii has as a leader in healthcare coverage for its citizens.

"Although the promise by employers to pay their employees a higher hourly rate should this bill pass, one should not be fooled into thinking that this is an adequate substitute for their share of the health coverage lost. In the long run, the workers lose out because of the additional medical cost they have to bear. These direct support workers should not be confused with independent contractors. Why would they want to pay for their own insurance?

"If there absolutely has to be an exclusion, the carehome owners and their employees who provide care in said homes should be the only ones excluded. We should not get side tracked by the provision that exempts those who employ part-time employees because they are covered by other employers. These part-time employees are true employees and should not be treated like any other workers in the same situation. Just because these part-timers are healthcare workers should not make any difference. Health industry employers should not be given special treatment.

"Not only should we limit the exemption to carehome owners, but we should also limit the exemption to workers' compensation and TDI. Federal law requires that unemployment insurance be provided for nonprofit and government agency employees. Failure to comply with federal law could result in a penalty to the State. So contentious is this issue that whether the groups pushing for this measure should pay unemployment insurance or not, is a subject of ongoing litigation. The question should be left to the courts to decide.

"Finally, Hawaii's longstanding and historic Prepaid Healthcare Act requires that employers provide health insurance for full- and part-time employees. In the case of part-time workers, this requirement is triggered when an employee works at least 20 hours per week. Having a blanket exemption for an entire class of people by declassifying them from being employees, creates a slippery slope and threatens to erode our precious Prepaid Healthcare Act. In closing, at minimum, this bill should have a sunset date, and I ask my colleagues to think long and hard about their position on this measure. Thank you."

Representative Sonson rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sonson's written remarks are as follows:

"I support House Bill 833 H.D. 2 S.D. 2 C.D. 1.

"This bill clarifies and actually narrows what are already existing exemptions for Medicaid Waiver Service caregivers. Since 1978, Workers Compensation, TDI and Prepaid Health Insurance laws already exempted caregivers who provide attendant care, and day care services authorized by the department of human services under the Social Security Act. This bill narrows these exemptions by limiting it to Medicaid services performed by contractors outside the facilities of the recipient of social services payments (chore, personal assistance and habilitation, residential habilitation, supported employment, respite, and skilled nursing services).

"The exemptions were originally enacted in 1978 so that the State would not have to increase the payments for the services to cover employment benefits. The State has not increased the payments to cover employment benefits. This situation is distinguishable and fundamentally different from other businesses and industries because the patients who receive the Medicaid services cannot be charged for the services to cover the costs of employment benefits. This is not an exemption for all caregivers in the State of Hawaii. This is only an exemption for a limited number of caregivers providing specific Medicaid services, whose payments are limited to Medicaid payments from the State.

"In the future, we can always amend this law should we decide to fund the millions of dollars required to pay for the employment costs for these caregivers. The bill provides for a study of the financial impact and consequences of the exclusions so that we can accurately gauge the need to increase our Medicaid payments to fund employment benefits for caregivers.

"At this time, however, this bill provides the best solution to avoid disruption of Medicaid services and gives the State time to consider funding for employment benefits. It does this by preserving the way these caregivers have successfully conducted business for years (letters from 1990 and 1991 submitted in support of the bill show that the State Department of Labor and Industrial Relations (DLIR) recognized these caregivers as independent contractors and excluded them from employment benefits until a recent decision by the DLIR appeared to contradict those earlier decisions).

"Many caregivers affected by this bill have testified in support because they are happy with their current businesses, want to maintain their independence and do not want to be employees. Further, this bill requires caregivers to voluntarily agree in writing to be independent contractors in order to be exempt. This gives flexibility to the State and the industry to continue to use employees (where feasible) and independent contractors. These options help the State provide Medicaid services to the people who need them.

"There is no conflict between this bill and the Federal Unemployment Tax Act (FUTA). This bill specifically does not exempt any caregiver who is an employee covered by FUTA from the State Unemployment Insurance Law. Thus, there is no risk to the State's FUTA tax credit."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I am in support of House Bill 833, Conference Draft 1. This bill has been the source of much discussion this session, and I commend the Conference Chairs and Legislators who carefully considered and crafted the clarifying language for excluding recipients of social service payments from the scope of various employment related laws. However, because of concerns raised throughout the life of this bill, I support this bill and its treatment of caregivers as independent contractors to the extent that this bill limits the application of the exemption from Hawaii's Employment Security Law to individuals not covered by the Federal Unemployment Tax Act."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of House Bill 833. Mr. Speaker, care home operators constitute an overwhelming majority of domestic care givers who receive social service payments through contracts with the Department of Human Services to provide care to our *kupunas* and those who are less fortunate. Although it appears under the current law that these care providers are not employees, insurance companies, state agencies, and the judiciary often confuse domestic care givers as employees.

"Mr. Speaker, the classification of domestic caregivers as employees ignores the reality of the domestic care industry. Truly, domestic caregivers contemplated in this bill operate as independent contractors by forming their own corporate entities with distinct places of businesses and no other supervision or control, except for their own expertise, and the guidelines and regulations imposed by law. Moreover Mr. Speaker, the classification of domestic care givers as employees poses a grave threat to the stability and sustainability of the domestic care industry because of the skyrocketing costs associated with their classification of employees. This issue will cause a domino effect forcing many agencies to cease to operate, many caregivers would be left without any source of income; many patients would be left without caregivers then, Mr. Speaker how do we address this domino effect. Mr. Speaker, this bill would ensure that these upheavals would be avoided, especially in light of the ever-growing demand for domestic care.

"Mr. Speaker, this bill benefits the State of Hawaii, the caregivers and patients in three ways. First, this bill benefits the State by avoiding a substantial increase in the costs of caring for mentally and physically disabled adults in Hawaii. Second, this bill enables the caregivers the flexibility to maintain and operate their independent small businesses, which flexibility, in turn, benefits the patients and lastly Mr. Speaker, this bill allows the patients to continue to receive the care they require to live in the community and not in an institution. To accomplish this, this bill clarifies the already existing employment exemptions under the Hawaii Revised Statutes, Chapter 386 – Hawaii Workers Compensation Law, Chapter 392 – Hawaii's Temporary Disability Insurance Law and Chapter 393 – Hawaii's prepaid Health Care Law. These exemptions currently exclude caregivers from the definition of employment and allow them to operate their own businesses. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 833, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 144 and H.B. No. 1567, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1567, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 145 and H.B. No. 751, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 751, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

At 10:45 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1221, HD 2, SD 2, CD 1
H.B. No. 1211, HD 2, SD 2, CD 1
H.B. No. 855, HD 1, SD 1, CD 1
H.B. No. 833, HD 2, SD 2, CD 1
H.B. No. 1567, SD 1, CD 1
H.B. No. 751, HD 1, SD 2, CD 1

At 10:45 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:46 o'clock a.m., with Vice Speaker Karamatsu presiding.

Conf. Com. Rep. No. 146 and H.B. No. 1572, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1572, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of

49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 147 and H.B. No. 1569, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1569, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 148 and H.B. No. 1568, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1568, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 149 and H.B. No. 1345, HD 2, SD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1345, HD 2, SD 3, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

Thank you. Mr. Speaker, just in strong support of Conference Committee Report 149, H.B. 1345. This measure gives much needed, much earned relief to many worthy efforts and I just wanted to thank the conferees on this Committee, in particular, my colleague from Waimea, the Chair of Military Affairs, the Chair of Heritage Caucus. I think there's some good relief here and I'm glad that we're going to be taking care of the Big Island and a number of the other counties that are mentioned in this bill and I wanted to thank the Committee members. Thank you."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with some strong reservations. Mr. Speaker, we had an opportunity at the beginning of this Session to prepare the State for natural disasters and we didn't do that. The House did its share and the Senate declined. All this bill does is to pay for what happened from the last natural disaster and does nothing to prepare us for the next one. I hope we can get something done at the next Session. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1345, HD 2, SD 3, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR NATURAL DISASTERS," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 150 and H.B. No. 831, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 831, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of this measure and would like also to thank this Chamber that this measure had made it this far. And I would like to share with you a little bit of history on this bill.

"During World War II, the U.S. Army recruited a lot of Filipinos to become soldiers. And after the war they negated on those promises that were made when they recruited these Filipinos. This happened until about the early 90's when Senator Inouye finally acknowledged and recognized their services. So, a lot of them could not resist the temptation to come and see this land of opportunity. But when they got here, they found that they were destitute. They did not have medical coverage, and they were too old to seek employment.

"So, this measure provides for burial expenses for them and for them to be able to be sent home to their native homes with a little bit of subsidy from the State. And with that, I'm grateful that this bill had made it this far. Thank you all."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you very much. In strong support. I would like written comments into the Journal, however, just to explain what this does as far as finances goes. I do know how much it costs to bring a body back to the Philippines. The bill limits it for each person to about $2,000. So about ten people will take advantage of this particular funding.

"When my father died a few months ago, before he died his last request was that he wanted to be buried home in the Philippines. I think that's an important thing that we need to know. For lack for a better word, it's a value that the Filipinos, who came to Hawaii, have always expressed to their children. They want to be buried where they were born, and as far as my father was, he wanted to be buried in our homeland. We actually have a little farm land in the Philippines and he wanted to be buried there with my mother.

"The reason I mention that is because it costs about $8,000 for a body to be shipped to the Philippines. The money that we are providing here is only a partial. I am in support and I really thank the Legislature for providing this subsidy to the Filipino veterans who were actually forced to come here on their last legs because they were hoping that they too can take advantage of the American dream that was promised to them a long time ago.

"However, they really didn't want to come here. They were already too old. They wanted to come here just to lobby us, lobby their representatives in their states, wherever they go, and also lobby the Congress to have a parity law and, hopefully, that this year our delegation will be successful in passing this parity law in Congress.

"This money will really help them to go back home and be buried with their loved ones and their families to the land in which they love. And this will be probably a continuing support if we do so feel like that, if we feel compassion for these individuals who want to be returned home. And hopefully, next year or the following year, until such time as they all return home, we can continue our support. Thank you very much."

Representative Sonson's written remarks are as follows:

"I support House Bill 831 H.D. 2 S.D. 1 C.D. 1. This measure assists Filipino veterans and their families by requiring that the Office of Veteran's Services facilitate the transport of the veteran's body to the Philippines for burial by paying directly to a mortuary or crematory the cost of funeral and burial services and for transporting the veteran's remains to the Philippines.

"Filipino WWII veterans made great sacrifices during the war and enabled the United States to achieve victory in the Pacific theater. The wishes of these veterans and their families should be respected and the State has an interest in supporting their cause. This measure

will allow Filipino veterans to return to their homeland and receive the burial they justly deserve."

Representative Manahan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. And I just want to say that while I share some of the concerns of the good Representative from Waipahu. I think this bill is very worthwhile in that it recognizes the efforts of the brave men and women who fought along side of the U.S. soldiers in the Philippines, and whom without which I don't think we would have had our freedom in that theater. Thank you."

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I am in support of Conference Committee Report 150: HB 831, HD2, SD1, CD1: A Bill For an Act Relating to Veteran Burial Grants.

"Mr. Speaker, this bill finally pays respect to Filipino veterans who fought for the United State of America in World War II, and at the time of their death, were United States citizens and residents of the State of Hawaii, who wished to be buried in their homeland.

"This bill is long over due, and hopefully, there are still Filipino veterans who might benefit from this bill. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support of this measure. I think this is a good step, a beginning step, to pay the debt of those who have paid our debt. It is a pleasure to support such a bill. Thank you

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On the same measure, in strong support, with written comments in the Journal. I would like to thank the Legislative body for taking a look at this measure because this is one of many that we need to assist our veterans right now as they age. For us, we are the fruits of all the labors they did in the past, but, again, I would like to thank the Chambers on both sides for supporting this measure. Thank you."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I am in strong support of House Bill 831.

"Mr. Speaker, House bill 831 addresses end of life issues, whether the cause of death is cancer or other circumstances, this issue is of the utmost importance in social moral issues. This bill is crucial for our aging Filipino World War II veterans who do not have the financial resources or relatives to make the needed end of life arrangements.

"Mr. Speaker, before my time, Filipinos have placed themselves in harm's way in the line of duty on behalf of the American people during World War II, and yet they had their veterans' benefits rescinded in 1946 by the U.S. Government. This bill provides financial resources for eligible veterans who have unfortunately passed away in destitution with no family members in Hawaii to have their remains be transported back to the Philippines for burial and final reunification with their families.

"Mr. Speaker, on behalf of those who lost their loved ones, I speak before this body with compassion to advocate for full equity for Filipino World War II Veterans. This bill would support a Filipino Scout like Mr. Rudolfo Ramos who unfortunately passed away in November 2006 and others; they risk their lives in aiding American forces in the Philippines. In many instances, due to the lack of finances, and no next of kin in Hawaii, and with our prohibitive immigration and visa policies relatives from the Philippines are still unable or have a very difficult task of entering the United States to transport their remains back to the Philippines for proper burial.

"Mr. Speaker, passage of House Bill 831 would go a long way to bring judicial closure and dignity to U.S. Filipino Veterans who had been stripped of the rights and privileges afforded to all other allied troops who had fought on behalf of the United States in World War II. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 831, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 151 and H.B. No. 24, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 24, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

Conf. Com. Rep. No. 153 and H.B. No. 1171, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1171, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Nakasone being excused.

At 10:55 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1572, SD 1, CD 1
H.B. No. 1569, SD 1, CD 1
H.B. No. 1568, SD 1, CD 1
H.B. No. 1345, HD 2, SD 3, CD 1
H.B. No. 831, HD 2, SD 1, CD 1
H.B. No. 24, HD 1, SD 2, CD 1
H.B. No. 1171, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 154 and H.B. No. 19, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 19, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition of this bill. Actually, in Conference Committee I voted straight yes on this bill and had a chance to review it and the history of this bill. Previously, this House Bill 19 was to establish the Facilities Alignment Commission, something I was very strongly in support of. What we have experienced over the years, is the same amount of children, way back when until now, and I think this was at least within 20 years ago until now, we've had he same amount of children attending schools.

"And what the Facilities Alignment Commission was to do was to analyze all of this information, and it was a really good bill, and then basically recommend where we may consider closing some schools and also consider areas to build and construct new schools, or expand existing schools. And taking a look at this bill now, it talks about school impact fees and how we can recommend and work with the DOE to build new schools.

"The problem that I have with this particular bill now is that it still does not address doing an analysis of schools that are operating that maybe should not be operating due to economies of scale and not having enough students in that area. What happens is it doesn't assist, in my opinion, the moving forward of Act 51's weighted student formula. I think that there should be a balance that we take a look at not only closing some of the schools, but also expanding in other areas. This is for efficiency and effectiveness, Mr. Speaker.

"So, I will be voting no in hopes that we will also address the other part of this. Nobody wants to talk about that issue of closing down possibly some schools, but I've talked to some teachers, I've talked to teachers at schools that have very small numbers, and some of those schools, not all, but some of those schools maybe should be considered for closing. Thank you.

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure. It may be true that we have the same number of children in public schools right now, but let's not forget that one of the problems that we are now facing is overcrowding in our schools. I believe that building more schools, especially the communities that are growing and sprawling is in good intentions. We need to fix what's broken and overcrowding is one of the broken things in public schools. And funding them through impacts fees is the best way to do it.

"If you remember, Mr. Speaker, we don't have enough State dollars to build infrastructure and we don't want to raise taxes either. So therefore, we need to look into the private sector to help us build the schools, especially, the communities where developers go and build a lot of homes. So, I believe that this measure is in good taste and we should all support it. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. Let me respond to the points made by the Minority Leader and her 'apples and oranges' comparison. This bill actually did have two parts to it as it left the House. The impact fees actually, as Members know, impact fees have been assigned to developers for decades, frankly, so this is nothing new. What this bill does, however, is give a sense of uniformity and lets the developers know what is expected of them.

"In the past, with impact fees, it was a 'catch-can' system. The developer did not have any kind of expectation of what that impact fee would be. This bill puts everybody on the same level playing field and lets developers know what fees will be assessed prior to the project being built.

"As far as the second point about realigning our schools and so on. As you know, Mr. Speaker, I've introduced bills the past two Sessions that would do precisely that because I believe that the Board of Education has not moved on this issue. Frankly, I do believe that the Board should be doing this. I don't believe in micromanaging the system, but when they fail to take action on this, bills were introduced last year and this year.

"However, the Board is taking action They've created an Ad Hoc Committee chaired by Board member Breene Harimoto that will do precisely what the Minority Leader talked about in what the bill that I introduced purports to do, and that is take a holistic view of the entire physical inventory of the department, decide which schools may be consolidated, which schools should be expanded given the property that they have, and again, working with developers and the community to figure out what's the best way we can make the most efficient and effective use of our school facilities. Thank you very much, Mr. Speaker."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I'd like to first incorporate the words of the Chairman of the Committee on Education as if they were my own. I'd like to also address the concerns raised by the Minority Leader and just mention this. First of all, I agree with her concerns. In fact, as the Chairman of the Education Committee, already mentioned there have been numerous measures proposed in the past two years. In fact, I've co-introduced the measure from last year. That's not to say, though, that this particular bill that we're looking at right now should not be supported. It is an 'apple and oranges' thing. I do support the apple, I do support the Board of Education focusing its efforts and making determination of how they're going to proceed to close schools down should the need arise, number one.

"Number two, I also support the mandates in this bill which calls for an impact fees for schools. I really feel for new developments across the State. And I understand the concerns of our colleague from Ewa because when you take a look at these new developments, especially the ones over the last decade, we understand very well that these communities, these new communities, don't have the adequate education facilities and infrastructure necessary for those particular communities. Hence, and thus, the reason for this particular measure.

"I've talked to numerous developers over the years because I've supported this effort ten years ago. I told them that however difficult it is to implement the school impact fee would be alleviated on the selling of these units if they tell these prospective buyers that one of the things that they're doing as a developer working with the State is to assure that when you come into a certain community, a new community, that these particular communities will have the school facilities and infrastructure and will be ready to accept kids. I think this is a win-win for everyone. I think it is a win for the State, the Department of Education. I think it's a win for the developers, and I especially think it's a win for these new homeowners in the future. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Thank you very much. I wish to speak for this measure with some reservations. I admit that as the Chairman of Education stated that impact fees has long been used and this will merely to set parameters so that the contractors will know and the developers will know what the impact fees are going to be. That is good.

"However, we cannot treat this impact fees in a cavalier manner because the impact fees affect the cost of the homes. And as you've been reading just recently, the cost of residences, because you don't have an adequate supply of homes, is continuing to rise. It makes it more difficult for the young people, first-time homebuyers, to purchase a home. It gets worse every day. And these impact fees will not help.

"And, so, I can only state that as we go ahead with our good ideals, we should remember the other side of the coin. Whatever we do has a consequence. Thank you."

Representative Lee rose to speak in support of the measure, stating:

"In support. As a Representative of a community that struggles with chronic overcrowding for 25 years, I support this bill and I'd

like the words of the Chair of Education to be inserted in the Journal as if they were my own," and the Chair "so ordered. (By reference only.)

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. With all due respect to my good colleague from Wailuku, to put a provincial twist on the whole bill and situation, we're one of these communities where the growth of the developments is outstripping the resources. As you look at the budget, you can see we're putting $32 million into a new school, into our area. A school that's way over needed, and that's coming out of everybody's pockets.

"When I was walking door to door in these new communities, I asked these homeowners, these young families, 'Would you be willing to pay a little extra to have a school ready to go for your kids with the proper amenities, infrastructure, and quality, air conditioning that is expected of a school?' I didn't hear a single homeowner say no. Especially with the fact that they have to drive their kids to an overcrowded school, no air conditioning, and bad playground equipment, where the learning environment is very, very, contrary. It's almost oppressive to them.

"So, you know, I do understand and can appreciate the speaker from Wailuku's concerns about the raising of the prices of homes, but you look at where these communities are growing at such a rate that if we don't do something to put the schools in first and the infrastructure in first, we're just going to keep slipping and sliding downwards and our quality of life is going to continue to slip and slide downwards. And I think that's what everybody wants, is quality of life, especially when it comes to education. Thank you, sir."

Representative Finnegan rose to respond, stating:

"Thank you. Just a few more comments, Mr. Speaker. Still in opposition. First of all, I'd like to continue the analogy of 'apples and oranges'. Yes, I do believe that I'm talking apples, and I do believe that I'm also talking oranges. But these things don't operate independently in and of itself. They belong in a fruit basket and they affect each other. And, so that's why I wanted to make sure that we brought up the discussion as a whole.

"If I could also adopt Speaker Emeritus' comments as well, because I take impact fees seriously. When we talk about development, we are straddling two issues and that's education and housing. I'm not saying do not do impact fees. I'm saying when we do it, and how we do it is very important. And I think that it says that in this measure, as well. But we are straddling two very, very important issues and we should be mindful of that.

"And the last comment, I'm glad that the Board took it upon themselves after introduction of a bill to do a Facilities Alignment Commission two years in a row. I'm glad they're taking it up on their own now. And that's probably what needed to happen is legislation from the Capitol in order for them to actually consider this because it is a difficult issue. But I do also have reservations on the way that the Board and the Department of Education have done things in the past. So, instead of, I was considering changing my vote to a vote with reservations, I will hold to a no just so that we can make a statement that this is a very important part of the whole fruit basket. Thank you."

Representative Har rose to speak in support of the measure, stating:

"I rise in strong support, Mr. Speaker. As the Representative from the fastest growing district in the State of Hawaii, it is so frustrating for me to hear the Minority Leader speak out against this measure. Every day new homes are being added, particularly, on the Leeward Coast, and this body knows that I will continue to advocate for the Leeward Coast arduously because I feel so strongly about this issue.

"Over the next 15 or 20 years, there will be 50,000 more homes added to the Leeward Coast. In particular, there is one development, 11,700 new homes will be added to Kapolei-Ewa Beach. So to put things into perspective, there are approximately 11,000 homes in Mililani alone. So a new city will be added into the area of Kapolei-Ewa Beach. My point is that we need to continue to build the infrastructure and infrastructure includes new schools.

"As I walked door to door, I shared the same concerns as the Representative from Lahaina did. My constituents are so frustrated. I have the newest schools in the State of Hawaii, yet, they are already overcrowded. Overcrowding is a problem. It impacts a student's achievement and we must continue to find the resources that this State needs in order to build new schools for our residents, for our communities, for our growing communities.

"Therefore, Mr. Speaker, I stand in strong support. I also ask that the words of the Chair of Education be adopted as my own, as well of the words of the speaker from Lahaina and the speaker from Aiea. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

Representative Herkes rose to speak in support of the measure with reservations, stating:

"In support with some very strong reservations. And I agree with my colleague from Wailuku. We keep talking about affordable housing, but we don't look at the cost drivers. Developers don't pay for it, do they? Everything gets passed on to the buyer. The buyer pays taxes, the developer pays taxes, and if we don't have enough sense in our budgets to provide for the necessary schools and good schools, then we're not doing our job. That's all."

Representative Ching rose in support of the measure with reservations, and asked that the remarks of Representatives Souki and Herkes be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to respond, stating:

"Just a few comments. Still in support, Mr. Speaker. I would like to pick up on what the Representative from the Big Island said about impact fees, that all the developers do is pass it on to the consumers, to the buyers. That's so true, Mr. Speaker. And, in a way, I'm opposed to that.

"The impact fees should be absorbed by the developers, but it should come from the profit margin of the developers, and I think that we should go back next year and put in a definition for impact fees. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in strong support. Mr. Speaker, in my district we will be facing a huge, two huge housing developments, Koa Ridge and Gentry Waiawa. And some of the comments earlier stating the impact fees are going to be passed on. I agree. It will be passed on. It's an issue of fairness, Mr. Speaker. I'm not a pro-developer, but I think it needs to be, the cost of everything needs to be spread out equally.

"The concern that I have is our current Department of Education has had a problem putting up schools quickly and efficiently and this will help. Thank you."

Representative Souki rose to respond, stating:

"Yes, Mr. Speaker, I don't appreciate that we are taking all this time on this measure when there's so many other important measures, but housing is an important measure. We have a terrible situation with the homeless. It's growing every day because they can't afford

to buy a home. They can't afford even to get into an apartment. It's so expensive. And government is part of the reason for all of this because we keep on passing on the cost. There's not enough homes to be built.

"And let me tell you about these homes that's been built on the Leeward area. These homes were approved by the respective counties. They're going to have a windfall of the property taxes by the 15,000 homes that are going to be built there. The State had nothing to do with it. Maybe we should re-look at the whole situation and have a law to provide that the counties will provide a rebate on their property taxes to assist the schools to be built. And maybe it's not a far-fetched idea because they become the passive winners in the property tax and in earning an income, and we become the cost drivers. Thank you very much."

Representative Ward rose, stating:

"Mr. Speaker, I rise in inspiration from the previous speaker from Maui because he's actually reaffirming what I think the Minority Leader said about the relationship between 'apples and oranges' being in the same basket because he really brings up the big point of education …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. I don't believe he said whether he's in support."

Representative Ward, continued, stating:

"I am speaking in favor."

At 11:15 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:15 o'clock a.m.

Representative Ward continued, stating:

"Yes, in support. My point of inspiration was that if we don't see the link between what we're putting in education and what we're getting out, we miss the opportunity that so much is growing now in our private education industry. I was told by the previous Chair of Education that Hawaii's teachers have more per capita children in private schools than any other state in the union.

"We want to build schools, but the people want quality schools. They want quality education. And I think with these impact fees, which is going to bump housing up, it shows how that drain from the economics of housing going into education is very worthwhile if we get our money's worth. I think that's where the apples bump up against the oranges. The oranges squeeze and they put the apples together. We got some kind of a fruit juice here that I think we have to understand the economics of.

"Because in Hawaii, as in any other place in the United States, education is the great equalizer. That's how we lower the differences between the people in Hawaii. That's how we raise up people from poverty, from ignorance, and allow them to become somebody, to do something, to have their dreams realized. But as long as the education is not producing, I can see why realtors and others would say, why should we 'shake down', as it used to be called, the developers to build schools, if in effect the schools aren't producing what they are supposed to be doing.

"So, Mr. Speaker, the apples and the oranges is a very great analogy and we've got to increase educational excellence, otherwise, all we're doing is taxing and taxing and passing on these things without any results. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support, but with the same reservations that the Transportation Chair from Maui expressed. Mr. Speaker, I would really encourage the Chair of Housing and the Chair of Finance to work with the Transportation Chair on his idea about looking at the way that the counties should participate in this.

"He was a former Finance Chair, he certainly understands the financial implications and when the county gets a windfall and we are hitting the developer, forcing the developers to raise the cost of housing, preventing young families from getting in to their first home, we're not doing it in the right way. I think he may have a really excellent answer and I hope we will pursue this, this coming Session. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 19, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Finnegan and Meyer voting no and, with Representative Bertram being excused.

Conf. Com. Rep. No. 155 and H.B. No. 1003, HD 3, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1003, HD 3, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm in support and I do have some very serious reservations about this measure if I may speak. Mr. Speaker, this bill has good parts. It establishes the Hawaii Natural Energy Institute at the University of Hawaii at Manoa. That's very positive. And it says that the Institute, this new Institute at U.H., shall develop renewable sources of energy for power generation. So far, good.

"However, you go to Part 3 of the bill, and you'll see what the primary focus and objective of this new Institute will be, and that's to develop a Hawaii Renewable Biofuels Program to manage this State's transition to energy self-sufficiency and it's based on biofuels for power generation, looking at biofuels as a significant renewable energy resource. And it goes on, promotion of Hawaii's biofuel resources to potential partners and investors for development in Hawaii, as well as for export purposes. So, not only will we be creating a biofuels industry here to serve Hawaii, but we will be creating it to export to other countries.

"If you take a look at the conflicts with our water resources, and you realize that biofuels will not achieve the objective of energy self-sufficiency. The crops will use agricultural land and water. Both of those resources should be used to produce food for local consumption. We can use solar, wind, and wave for our renewable energy resources, our renewable energy needs. We can use our agricultural land to grow local crops for local consumption.

"I'm opposed to this, what I believe is a misguided approach saying that biofuels will be the savior for Hawaii's energy needs. I think we really need to look at this seriously, rethink it, and keep our ag land for food, crops, so local people can buy local. Thank you."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you. I rise with reservations. And I appreciate that the former speaker pointed out the issue of water and, so that's why I stand with reservations. Thank you."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just some brief comments in rebuttal, even though the speaker was in support. Just for the edification of members, the Hawaii Natural Energy Institute is not a new Institute. That Institute was formed in 1978 through Session Laws and all we're doing is codifying that section.

"Secondly, I just want to address the issue of biofuels. There's no one magic solution that will be the energy savior for our State. It will take a multi-prong approach in addressing our energy issues. Biofuels could be one of the near term solutions in addressing our energy situation. For example, existing power plants may be able to transition into biodiesel where we can easily use our old infrastructure by using a renewable fuel.

"But one of the things that this bill will address is a bio-energy master plan. How do we get there? How do we make sure that our need for food security isn't overshadowed by our desire for energy security? It's balancing those kinds of needs and, so, I don't want to 'diss', or have anybody 'diss' the approach to looking at biofuels and bio-energy as a bad potential for Hawaii, but as one of the many approaches and strategies that we have to thoroughly investigate to take us to energy independence and security. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen later rose to respond, stating:

"Yes, Mr. Speaker, before you call for a vote on this page, I would like to correct one statement that I made. It relates to Conference Committee Report 155, the biofuel industry bill. On further reflection, I find I cannot vote in favor of that measure. I don't think that is the right way to go. I think we've got to develop our true renewable energy resources and we need to save our agricultural land and our water for agricultural crops. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1003, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 157 and H.B. No. 55, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 55, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The purpose of this measure is to establish a statewide youth suicide early intervention and prevention program. Mr. Speaker, more youth die from suicide each year than from cancer, heart disease, AIDS, birth defect, stroke, chronic lung disease combined. In Hawaii, suicide is the second leading cause of death among persons age 15 to 24.

"The first step of prevention of suicide is to identify the warning signs. Knowledge and education about suicide is an essential component in preventing suicides. Comments such as, 'I hate myself,' or 'Soon the pain will be gone,' or 'I want to sleep and never wake up,' may sound like a common gripe or it might even sound like a joke. But those that go through this program and are taught by these coordinators will know that this could be the first sign of a suicide or suicide attempt.

"In fact, they will also look at the person, and these are other factors may indicate that the person is contemplating suicide: their lack of energy, the person is angry for no apparent reason, appears to be confused. They also look at the environment. Does the person have problems at school? Is there a history of family violence? Was there a recent break up in a relationship? Remember, not a single factor, but all these factors together may indicate a pattern. And what I'm touching on is just the tip of the iceberg of what the program and the coordinators will teach.

"The benefit will be to the number of people taking the courses, such as law enforcement personnel, healthcare providers, educators, parents, youth, youth advocates, and many other private and public organizations. Mr. Speaker, this will not only help prevent youth suicide, but it will also help prevent suicide in our adult population as well. For those reasons, I humbly ask that Members of our body support this measure. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support of this measure. I think this is a good start. I'm disappointed in that this bill has no money in it and that it authorizes, but does not mandate the Department of Health to establish and operate a statewide youth suicide, early intervention and prevention program. But just the fact that it's passing is a good beginning.

"I think that this is a problem that is not publicized very much. When a young person dies, the paper doesn't say they died at their own hand. But with the large problem that we have with drugs, ice addiction, and addiction to other drugs, I think it happens more often than we know. And it's such a devastating thing to happen in any family. I hope that next year we'll put some money in this. And I also hope that the Department of Health will start on this even though they have no additional funding. Thank you, Mr. Speaker."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker. I'm standing in strong support. Mr. Speaker, as a clinician who actually has worked with this type of population since 1990, we have seen the effects of young future leaders having depressed moods, suicide idealizations, and even actually, when I worked at the hospital, dealt with individuals who have attempted to hurt themselves. All I have to say is, it's about time. Thank you."

Representative Mizuno rose on a point of information, stating:

"Thank you, Mr. Speaker. I did want to note a point of clarification. The financial component was taken out of the bill during Conference, but it is in the budget. That's one of the reasons why that financial component was taken out of the bill. This program is budgeted. It does have monies. Thank you, Mr. Speaker."

Representative Manahan rose in support of the measure and asked that the remarks of Representative Yamane be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Evans rose to speak in support of the measure, stating:

"In strong support. I'm very pleased we've moved something forward. It's an issue that's been here, I think for several years, the last maybe three or four years that I'm aware of. And we finally get a bill out that is really addressing, which is, I think, a frightening statistic when we look at the number of suicide for youth in Hawaii. We need to continue working on this issue. With the stress that our young people are looking at, potentially maybe even looking at war, the war that's going overseas, obviously, mental health issues that we see on the rise. I can't understate that we have to keep this issue

moving forward even next year, and the years coming forward. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Also, in strong support. As a wife of an ER physician, it's unfortunate, but I have heard of the incidences that come through and it is as my colleague from Waimea said, it's alarming in Hawaii. So I'm glad to see that we're moving something through.

"I also wanted to add that creating nurturing communities is an important part of looking at this issue. The youth of today have such challenges and the culture that they're faced with, the contemporary culture, maybe does not lend itself always to a nurturing community. And so efforts in creating nurturing communities, I would hope, is something that we should look at and we don't have hospitable communities that encourages children to know that there are people who can help them out there. That they are wanted. They're welcomed. That there are other support networks if they think that their narrow environment does not provide one. This is why it is important to have nurturing communities because it affects our youth. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 55, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH SUICIDE PREVENTION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 158 and H.B. No. 807, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 807, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Also in support. The purpose of this measure is to formally establish the Office of Long Term Care Ombudsman within the Executive Office on Aging. Mr. Speaker, we already have 48 states in our nation that have an office on long term care ombudsman, so, I believe it's time to have this Office established in statute.

"Furthermore, Mr. Speaker, we have about 230,000 *kupuna* in our State, and as you know, that's the fastest growing segment of our population. This measure will ensure that the Office of Long Term Care Ombudsman will provide information and review the health and safety welfare of our *kupuna* and I would also like to ask for permission to insert additional comments in the Journal. Thank you, Mr. Speaker."

Representative Mizuno's written remarks are as follows:

"I am in support of this measure, Mr. Speaker, HB 807. The purpose of this measure is to formally establish an Office of the Long Term Care Ombudsman within the Executive Office on Aging. Mr. Speaker, we already have 48 states in our nation that have an office of a long term care ombudsman and I believe that it is high time that we create our own office of an ombudsman to protect the interests of our *kupuna*.

"We have more than 230,000 older adults who comprise the population our State. No other part of the population is growing up as rapidly as the age sixty and older group with the number of frail elders who are age 85 and older expected to double up in the next 30 years. Given this figures we have a task to prepare for this aging revolution.

"Creating an Office of the Long Term Care Ombudsman will ensure that the health, safety, welfare of our residents of long term care facilities is not compromised and subjected to abuse by some unscrupulous caregivers who take advantage of the vulnerability of our elders. For this Mr. Speaker, I urge my colleagues to support this measure."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support with reservation on this matter. I do realize that there is a place in the long term care facilities for an ombudsman. But the ombudsmen may act as policeman in these types of facilities. They are there to monitor the facilities, as well as the patients within. And I believe that this function is now being handled by the Department of Health.

"And let me also remind you and the Chamber that the reason why we don't have long term care facilities now, a lot of them have closed down, and we are now sending our *kupuna* to the mainland, is because of overregulation.

"I just went to a meeting a couple of weeks ago here in this building called for by the carehome industry complaining about over-regulation and over-visitation. An ombudsman would go and visit these facilities as well. It's well intended. However, I think that it's a side step to the wrong direction. A lot of the patients or residents, we call it, to long term care facilities being nursing homes or carehomes, expect to be treated in a certain way. And I would venture to say, they think they're going to a three star facility in which everything is provided for. And maybe they are entitled for those types of treatment. However, we, as a State, are only willing to pay so much. So whoever own these facilities have to make do with whatever payment they receive.

"Let me just remind this Chamber that this year, we allocated $20 more to their rate per patient. And I think that if we are going to go and offer all the representation that these residents have and be given all the opportunity and make demands on what they rightfully deserve, that we should also be in cadence in protecting these providers. I thank you, Mr. Speaker."

Representative Mizuno rose to respond, stating:

"Thank you, Mr. Speaker. Still in support. I just want to address some of the comments that were made by the prior speaker. There are approximately 500 carehomes in the State of Hawaii. And I think what happens is this becomes a balancing test. We're looking at overregulation versus policing, I wouldn't even call it policing, versus insuring that the health, safety and welfare of our *kupuna* are being taken care of.

"In this situation, the Office of Long Term Ombudsman would do everything that that office needs to do to insure safety is preserved for our *kupuna*, so, I am an advocate for care home operators, but I think that the health and safety more for our *kupuna* should come first. And, I'll tell you, many of the care home operators too, will say that is true.

"The problems with care home operators aren't much. You only see a few situations where they're mistreating their patients or the clients. So by far and large, most care home operators do a great job, outstanding job. And so again, if you're thinking about over-regulation, I wouldn't use those words. I would probably say, rather, to ensure the safety of our *kupuna*. Thank you. Mr. Speaker."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I am in strong support of House Bill 807, Conference Draft 1. This bill formally establishes an Office of the Long-Term Care Ombudsman within the Executive Office on Aging. This office is critical because it provides a voice for our growing elderly population.

"It is becoming increasingly important to provide this voice and protections for our aging citizens today. As the baby boomers begin to retire in the next decade, there will be a dramatic increase in demand for long-term care facilities. Without established protections, potential abuse of our elderly could go unchecked. This bill demonstrates our commitment to look after the health, safety, welfare, and rights of our elderly population."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"In support with some reservations. First, the Ombudsman's responsibility as listed in the bill do not really address the true source of neglect and abuse. If we are really concerned about our *kupuna*, the Ombudsman should not focus on long term care providers as stated in the bill. Rather, where statistically where it's shown in data, that most of the abuse is really outside of the facilities. That's a fact.

"Also, on page 4 regarding what the Ombudsman's duties are and qualifications, etc., it does say that they should have expertise and experience in the fields of long term care and advocacy. I don't know exactly what is meant, but I hope it would mean that the Ombudsman would at least have an opportunity to work at a long term care facility first, so that such a person who has police powers, as contemplated in this bill, would know what is required, what the issues are in the care of *kupuna*.

"I think this is a good step. We should feel good that we have, we will show the public that we are creating laws that will protect *kupuna*. But I think that as we proceed, we have to ensure that these individuals, ombudsmen, as we call them, if they are to be given police powers, we have to ensure that they also will not cause this industry, which is fragile, low paid, and yet performing a very, very important job for our State in the care of *kupuna* who aren't able to care for themselves. Thank you, Mr. Speaker."

Representative Sonson later rose, stating:

"Thank you, Speaker. On Stand. Com. Report 158, Relating to Care Giving. I'd like to change my vote from a yes, to a no. On page 2 of this bill, it has actually a misdemeanor charge, and so I will insert comments in the Journal," and the Chair "so ordered."

Representative Sonson's written remarks are as follows:

"I am in opposition to House Bill 807 H.D. 1 S.D. 2 C.D. 1. This bill imposes overly harsh penalties based on vague standards, to be enforced by a new authority without proper experience or qualifications. H.B. 807 prohibits "willful interference" with or impeding of the long-term care ombudsman, and makes this violation a misdemeanor. However, this bill is written in such a way as to encompass an overly broad range of potential actions that could be classified as a violation. Furthermore, that a person may be found guilty of a misdemeanor based on the actions of a new "Office of the Long-Term Care Ombudsman" is troubling because the proposed new Office does not have the experience nor training to adequately address potential conflict situations. Such enforcement powers are better entrusted to existing authorities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 807, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Sonson voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 159 and H.B. No. 843, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 843, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On this measure, I stand in strong support. Closing Kahuku Hospital would have put the people on the North Shore in grave and serious jeopardy. This is about saving lives. And with this measure, Kahuku Hospital's condition has improved dramatically from critical to stable condition, and is well on its way to a healthy recovery.

"This is a long ordeal that we have on this measure, and I really appreciate the community and everybody else involved in it because with that information, with that statement made back in November that this hospital was going to be closing by the end of the year 2006, it brought the community together. Not only legislators, but we had people in all different areas coming to talk to us. This measure is part two of a long ordeal that we have to save it.

"And in the health industries, there are a lot of challenges that we have and, hopefully, as we move forward in approving this measure, the Kahuku Hospital will stand its ground.

"I would also like to thank the money Committees on both the House and the Senate, and also the Health Committees for their long work in pursing this, and all the community people that were involved. It was a long, arduous measure that we need to take a look at because with this industry, as we move forward, in the health industry, as we discussed today on other measures on the Floor, the number one crisis that we have right now is reimbursement for the health industry. And hopefully, that as we further go on, that we can support, and hopefully, put more money into what we have. As we grow older, I know we just finished talking about the bill about *kupuna*, but for us, as we get older, we have to take a look to health.

"But again, on this measure, I stand in strong support as my colleagues. Thank you very much. And also, we will continue whatever we can do. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support on this measure. I want to thank all the Members in this Chamber for supporting the efforts to save Kahuku Hospital. We wouldn't be here today and the hospital would not be open now unless the people here would hear the problem and support the efforts of the community.

"It was a very gratifying experience working with the Representative from Haleiwa and the Senator from my district, meeting with the community and executives from Kahuku Hospital, and working with the Governor and the Executive Branch, the Director of the Department of Health that were all extremely supportive . So again, a big *mahalo* to everyone in this Chamber and the Senate Chamber. Thank you very much."

Representative Pine rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. In strong support. As someone who has had many families saved at Kahuku Hospital, I do want to thank the Chamber and especially, of course, our Representative from Kahaluu who really got on all of us right away as soon as she heard that there were problems and called the Governor and the Department of Health to commit to save Kahuku Hospital, and of course, our great Representative from the North Shore, as well, for all their hard work. I think this is one of the really great things that we have done this Session."

Representative Mizuno rose in support of the measure, asked that the remarks of Representative Magaoay be entered in the Journal as his own, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, I wish to speak in favor of this measure, however, I want to alert the members on a situation on an island where you have only one hospital. And you have the far reaches from Hana to Kipahulu to Lahaina and Ulupalakua to go to that one hospital especially when you have an emergency. The results are usually catastrophic.

"So all I can request of this body, as the years go by and more requests come to this body for more assistance, that we look to an island that has only one hospital, and I would hope you would look favorably at that request as it comes along. Thank you very much."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support and I won't dwell on the fact that I'm looking forward to having the people on the North Shore experience the management by HHSC, but I think that the Department of Health should take a good hard look at just what a lot of these rural facilities should be. Should Kahuku Hospital, for example, be like the Ka'u facility, which is a rural health clinic with some longterm care and an emergency room.

"And one of the best things that happened to Maui and the Big Island was the threat of closing Kahuku Hospital, because then maybe the people on this island understand the distances that those of us in the rural areas live with, like my colleague from Wailuku said. For example, this is from the Ka'u facility, the Hilo Hospital is the same as it is from Lanai City to Queen's Hospital. So you want to take about distances.

"I think we need to take a good hard look at how we service these rural areas. The Representative from Kona and I have been working for some years in trying to get more mobile clinics so we can cover these rural areas. These 40-foot vans are the complete facilities. They can be driven to wherever the problems are, and so I hope the Department of Health takes a good hard look not only at Kahuku Hospital, but the entire rural areas. Thank you."

Representative McKelvey rose in support of the measure and asked that the remarks of Representatives Magaoay and Souki be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 843, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 160 and H.B. No. 1477, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1477, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just very brief comments in support. This is a very good thing that we've done. This is one piece of many to help improve the status of heathcare in the State of Hawaii. This $4 million appropriation over the next two years is being spent on residency programs to train family practice physicians and in that capacity will be expanding to Hilo to expand again the training creation of primary care physicians. This piece of work force development is fundamental to increasing the access to healthcare in the State of Hawaii. So I think we've done a very good thing, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"Just brief comments in support, Mr. Speaker. I just would like to add that our Chair on Health did his residency in an underserved area, and he had been operating in an underserved area since then. So I think this is a good way to recruit doctors to the underserved area. Thank you, Mr. Speaker."

Representative Evans rose to speak in support of the measure, stating:

"I rise in support. And I wish to comment that this is a significant piece of moving forward on the issue of workforce development. I think one of the problems we're having with doctors in Hawaii is they're reaching retirement age. So again, the 'baby boomer' generation is looking to retire, and the cost of doing business in Hawaii, the stress of the amount of hours that our physicians work is they're considering retirement. It's just so stressful. So workforce development is going to be a key issue even in the healthcare industry, so I really appreciate this work and we have more to do. Thank you."

At 11:46 o'clock a.m., Representative Sonson requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:48 o'clock a.m., with the Speaker presiding.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On Conference Committee Report No. 160. I'd like to just adopt the words of the speaker from Kailua-Kona as my own. And also I just want to thank my good friend and sparring partner, the Chairman of Health, for all his hard work on this measure because it's very important in insuring that we have doctors available, especially on the neighbor islands."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. This Legislature has, once again, shown its commitment and dedication to improving healthcare for the citizens of Hawaii. The measure before us goes further by providing much needed help to the rural areas across the State.

"With the money appropriated by the Legislature, $1.5 million in FY08, and $2.5 million in FY09, the Family Medicine Residency Program, in the John A. Burns School of Medicine and a demonstration project currently underway at the Hilo Medical Center, will be strengthened and stabilized.

"This will eventually allow for the expansion of the demonstration projects into fully accredited rural training sites, thereby possibly gaining eligibility to receive Federal CMS (Medicare) Graduate Medical Education funding.

"Mr. Speaker, given the nature of funding this type of graduate education training, this accreditation will go far in drastically improving the quality and availability of healthcare to rural areas.

"This measure demonstrates the obligation and responsibility to the people of this State that this Legislature has when it comes to providing quality healthcare to the citizens. A critical need, the need for more physicians and better access to health services in the rural areas, has been addressed by this measure. I urge my colleagues to support this measure. Thank you."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, this bill provides funds to support the existing Family Practice Residency Program of the UH Medical School, and also to support expansion of the program to the Neighbor Islands. This program is important to our State because it is the Family Practice physician who provides much of the primary health care for our people. There is need to support training at facilities both on Oahu and the Neighbor Islands.

"Wahiawa General Hospital has been the site of the Family Practice Residency Program for several years. It is the intent of the Legislature that some monies from this bill will be used to lighten the burden this places on Wahiawa General Hospital for support of the program. I urge the Members' support."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support of House bill 1477.

"Mr. Speaker, the primary healthcare services are extremely strained in many areas of Hawaii. A physician work force shortage in rural Oahu and all of Hawaii's neighbor islands has reached crises proportions. Population growth, an aging health workforce, and a heavy burden of chronic illness all conspire to worsen this situation in many rural areas. The physician shortage is also exacerbated because physicians who live on Neighbor Islands are leaving.

"House Bill 1477 seeks to stabilize the current fully accredited residency program at Wahiawa General Hospital while developing a statewide primary care training model. This bill is not intended to study the problem, but instead to take immediate steps to create a viable primary care pipeline and improve healthcare access in rural areas.

"Mr. Speaker, the current financial uncertainties at Wahiawa General Hospital have created an unstable environment for the residency program. For several years, Wahiawa General has not been able to cover the full costs of the training program. As this is the only civilian Family Medicine program in the State and as healthcare access worsens, it is essential that the program not be allowed to falter. A stable base program is essential to the development of a state-wide primary care training vision. The residency program at Wahiawa General Hospital provides significant clinical services to the people of Central Oahu and the North Shore. The proposed funding would allow the residency program to continue for the next two years while transition plans are being developed with Wahiawa General Hospital and with the John A Burns School of Medicine.

"The stabilization of the residency program through this piece of legislation positively affects Wahiawa General Hospital, sustains the healthcare delivery services in Central Oahu and the North Shore, promotes primary care, and insures that the planned Hilo residency program continues.

"Mr. Speaker, family physicians are ideally suited for rural healthcare. The family physician is trained in primary care, mental health services, maternity care, general pediatric care, adult healthcare, geriatric care, home visit, and is comfortable in the hospital or outpatient settings. Family physicians form the foundation for a primary care network which supports an environment for sub-specialist physicians to work in a cost-efficient manner. The investment of the State of Hawaii to promote and develop the rural training tracks for family physicians is a suitable method of addressing Hawaii's primary care physician shortage. During the time the resident physicians are in training, they will be providing a significant primary healthcare workforce for that community.

"Mr. Speaker, this matter deserves everyone's full attention. It is critical in insuring that rural areas acquire and maintain an adequate primary care physician work force. Failure to fund this bill may result in the loss of the only Family Medicine Residency Program in the State and will worsen access to healthcare. It is essential to develop a primary care workforce pipeline for a sustainable supply of physicians to staff our community health centers, rural hospitals, and improve access to healthcare for the people of our State. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in strong support. This measure is a collaborative effort with the University of Hawaii and the rural communities. As a Representative from a rural community, this bill will help many who are in need of medical assistance. Hopefully many clinicians will enjoy working in a rural setting and eventually move into these areas where work opportunities are in high demand.

"In addition, I appreciate all of the hard work and effort from both the House and Senate to finalizing this important measure. Thank you, Mr. Speaker."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1477, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RURAL PRIMARY HEALTH CARE TRAINING," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At 11:51 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 19, HD 2, SD 2, CD 1
H.B. No. 1003, HD 3, SD 2, CD 1
H.B. No. 55, HD 1, SD 2, CD 1
H.B. No. 807, HD 1, SD 2, CD 1
H.B. No. 843, HD 2, SD 2, CD 1
H.B. No. 1477, HD 2, SD 2, CD 1

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Mizuno introduced from members of the Farrington High School, T-Shirt Theater: Frankie Amano, Mark Cabico, Honey Grace Gementiza, Jessica Jardinaso, Cleo Mariano; and directors, Mr. George Kon, Mr. Clayton Tom.

Representative Manahan further recognized the Alliance for Drama Education, and presented the Farrington High School T-Shirt Theater who then gave a short performance.

At this time, the Chair announced:

"Members of the House, the Chair would like to share with you that we have three Members that will be leaving this Chamber at about 2:00 to 2:30. The Senate has just one page left on their Order of the Day and I thought we would try to control our speeches on the Floor this morning.

"We have seven pages more to go and I am not going to deny any debate on the Floor of this House, but I would like to run it as efficiently as possible because after the original Order of the Day, we also have our yellow Action Sheets to contend with, and also a Supplemental Calendar #1. So, if it is possible, the last Floor Amendment that was filed on this House floor on Tuesday was at 1:59. At 12:25, the Chair will call a recess to break for lunch and also to allow Members of the House to attend a press conference if you folks are invited to that particular press conference.

"I'm just proposing it to the Chamber if you want to speak on the Floor, be my guest. If you want to insert written comments for or against, be my guest, also. But there are deadlines that I have to meet in regards to the members that are leaving at 2:00 to 2:30. And there are three Members that are leaving."

UNFINISHED BUSINESS

Conf. Com. Rep. No. 161 and H.B. No. 367, HD 1, SD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 367, HD 1, SD 3, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. Mr. Speaker, we know that the abuse of alcohol and drugs in our State is too high. We also know that screening, counseling and referral for those who are abusing are effective techniques in reducing such abuse. One way to help the abuse rate is by ensuring that a referral to appropriate alcohol and drug abuse screening and counseling is offered to a patient when an examining physician in a primary care or emergency room setting has good reason to suspect substance abuse by the patient.

"This initial point of contact in a medical setting is a recognized window of opportunity where patients are most vulnerable and open to intervention and dialogue that address their underlying alcohol or drug issues. It is at this "teachable moment" that individuals can benefit from assessment, education, counseling, or, if necessary, referral to treatment.

"This evidence-based, cost-effective program is recognized as a best practice model by the Substance Abuse and Mental Health Services Administration, an agency of the United States Department of Health and Human Services.

Mr. Speaker, by investing in treatment we will reduce our incarceration rate and therefore reduce the cost to the State in the long-term. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 367, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

Conf. Com. Rep. No. 162 and H.B. No. 1368, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1368, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL AND MEDICAL FACILITIES SPECIAL FUND," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

Conf. Com. Rep. No. 163 and H.B. No. 1220, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1220, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"I am in strong support of HB 1220 HD1 SD2 CD1. Broadly speaking, this measure would provide a much-needed fund for the marketing of Hawaii's ag products through the Seal of Quality Program. If a robust, diversified ag industry is to be sustained *in Hawaii*, we must ensure that the quality of those products is synonymous *with Hawaii*. The Seal of Quality program accomplishes this task by differentiating, establishing, and certifying locally-produced products through the use of a highly identifiable brand that differentiates those products in the current competitive marketplace.

"For that reason, implementing a special fund to collect revenue from the program would allow it to become self-sufficient and revenue-neutral, thereby contributing greatly to the program's longevity and sustainability without placing a burden on public funds. The value and tangible benefits of such a program are manifold: ranging from protecting the "Hawaii" marketing cachet to validating its authenticity to ensure high quality products and food safety compliance. Given these far-reaching benefits, I urge you to join me, then, in supporting HB 1220 HD1 SD2 CD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1220, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

Conf. Com. Rep. No. 164 and H.B. No. 400, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 400, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"Thank you, Mr. Speaker. I am in strong support of HB 400 HD1 SD2 CD1. This measure seeks to combat the adverse effects of drought on our local ag and livestock industries. Although rainfall appears abundant today, our watersheds continue to make up for sustained and ongoing periods of drought that have plagued our state annually, resulting in very large fluctuations in water availability that have negatively impacted our farms.

"HB 400 would provide much-needed funding to implement the Hawaii drought plan, water infrastructure policies, and county water management strategies that were developed in 2004, but which have yet to be put into action due to a lack of resources. These preventive measures would help to safeguard not only our general water supply, but also our local commerce, environment, public health, and overall safety as well.

"In sum, the time to prepare for a drought is not *as it occurs*, but *before it occurs*. Taking action at this time is therefore prudent, necessary, and most sensible. For these reasons, I urge you to join me in support of HB 400."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 400, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

Conf. Com. Rep. No. 165 and H.B. No. 399, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 399, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in favor of this legislation. As you know, the purpose of this bill is to appropriate funds for the operation of our soil and water conservation districts. There are 16 such districts around the State and each is important in its own right.

"Soil and water conservation is extremely critical on all of our islands and is especially critical in my district in Windward Oahu. Water rights have long been an issue in the Koolauloa district. Conservation of water and soil is a daily concern for farmers and community residents alike.

"These soil and water conservation districts play an extremely important role for the members of our agricultural community. I'm proud to stand up for this important appropriation and hope the Legislature and the Executive Branch have the foresight to continue this important funding. Thank you."

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"This measure seeks to allocate funds to the Hawaii Association of Conservation Districts (HACD), comprised of 16 Soil and Water Conservation Districts. The sole purpose of these districts is to educate, construct, maintain, and assist in the development of conservation plans to protect our soil and precious water resources.

"At present, the HACD is notably under-funded to carry out the myriad of important functions they provide to the State's ag industry. The resulting strains on staffing, office expenses, training, and so forth, have made it exceedingly difficult for the district conservation officials to carry out their duties.

"Additional funding is therefore necessary to help fund and maintain resources to sustain current and future operations. For these reasons, I urge my colleagues to join me in support of HB 399."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 399, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

Conf. Com. Rep. No. 166 and H.B. No. 1435, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1435, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in favor of this bill. This bill continues the Legislature's support of the Honolulu Symphony as it progresses into the 21st Century. The Honolulu Symphony was founded in 1900 and lays claim to the distinction of being one of the oldest symphonies west of the Rocky Mountains. The Honolulu Symphony's benefactors – besides the audience – are the children of Hawaii.

"With the demands of No-Child-Left-Behind requirements, music programs throughout the nation have taken a back seat to core educational programs, such as English, math, and science. The Symphony provides an opportunity for Hawaii's children to listen and experience music through its youth concerts and chamber ensemble performances.

"The Honolulu Symphony has established itself as one of Hawaii's most prominent and recognizable cultural, educational, and entertainment organizations by keep true to its mission to enhance the quality of life of the people of Hawaii by sustaining a symphony orchestra of the highest artistic quality.

"This bill clarifies the Legislature's intent to provide matching funds for the Honolulu Symphony that encourages donors to pledge financial support. Mr. Speaker, as you may recall, last year the Legislature passed H.B. 3235, which became Act 97, Session Laws of Hawaii. Act 97 appropriated $4,000,000 to be deposited into the State of Hawaii endowment fund, from which the income and capital gains shall be used for the production of music by an Oahu based symphony orchestra, provided that the funds appropriated are matched, dollar for dollar, by private funds.

"In an Opinion Letter, however, the Attorney General (AG) called into question the Legislative intent of Act 97 as to what was to be considered as a dollar for dollar match. With the Legislative intent ambiguous, the Attorney General construed the statute in its ordinary and popular sense, and determined that it was reasonable to require the matching funds to be limited to only third party cash contributions. Thus, pledges and other similar promises of monetary contributions were not recognized. On the other hand, the Attorney General also recognized that another rule of statutory construction known as *pari materia*, would result in a different conclusion and opinion. By applying *pari materia* rule of statutory construction, the Attorney General construed that Act 97's matching private funds requirements to include the types of funds specified in HRS §40-88 (b).

"Thus, given that there is more than one possible interpretation of Act 97's matching fund requirement, the Attorney General suggested clarifying language to carry out the Legislative intent of Act 97. This bill contains the clarifying language as reviewed and endorsed by the Attorney General's office and is expected to cure any ambiguity that may have affected Act 97. Additionally, the bill will extend the $4,000,000 appropriation another two years to June 30, 2009.

"Finally, I would be remise if I did not express my appreciation for the diligence and tenacity of Mrs. A.Q. McElrath whose fervor and passion for the Honolulu Symphony knows no bounds, but deserves all regard and recognition for this bill. For these reasons, I urge my colleagues to support this bill. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in strong support for the symphony funding."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1435, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

Conf. Com. Rep. No. 167 and H.B. No. 575, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 575, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," passed Final Reading by a vote of 49 ayes and, with Representatives Bertram and Herkes being excused.

At 12:01 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 367, HD 1, SD 3, CD 1
H.B. No. 1368, SD 1, CD 1
H.B. No. 1220, HD 1, SD 2, CD 1
H.B. No. 400, HD 1, SD 2, CD 1
H.B. No. 399, HD 1, SD 2, CD 1
H.B. No. 1435, HD 1, SD 2, CD 1
H.B. No. 575, HD 1, SD 2, CD 1

Conf. Com. Rep. No. 168 and H.B. No. 1866, HD 3, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1866, HD 3, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I vote with reservations on Conf. Com. Rep. No. 168. Basically, it has to do with using the CRF, the Compliance Resolution Fund, as the initial funding measure or appropriation and had some real strong reservations on that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1866, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 169 and H.B. No. 1719, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1719, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 170 and H.B. No. 1352, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1352, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

"Thanks, Mr. Speaker. I just have some reservations on this measure and I just wanted to say that I hope the Commissioners appointed as a result of this legislation will have sufficient historic perspective and good sense to appreciate the significance of Iolani Palace and look elsewhere for a focal point for the 50th anniversary celebration. And I have additional written remarks."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I have some reservations regarding House Bill 1352. In lending my support to the establishment of a commission to plan and coordinate our 50th anniversary observance, I urge certain cautions. It is my hope that the Commission will be charged to carry out its mandate with the utmost sensitivity and respect for the culture and traditions of our Native Hawaiian people.

"I am aware that among the Hawaiian community itself, there is a variety of opinions and feelings regarding Statehood, ranging from total acceptance to outright rejection. The sentiments expressed by protesters at last year's Statehood ceremonies at Iolani Palace represent one strong and important point of view on this wide spectrum.

"I would hope the Commissioners, appointed as a result of this legislation, will have sufficient historic perspective and good sense to appreciate the significance of the Iolani palace … and look elsewhere for a focal point for the 50th Anniversary Celebration.

"One way to ensure that the Hawaiian perspective receives proper attention is to see that Native Hawaiians are adequately represented on the 25-member Commission. The inclusion of OHA as one of the four institutional participants, along with Tourism, Culture and the Arts & the Military, is a good, but token, start. Hopefully, those charged with appointing the other 21 Commissioners will see that Hawaiians are included in that number. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1352, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO PLAN FOR THE FIFTIETH ANNIVERSARY OF HAWAII STATEHOOD," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 171 and S.B. No. 1718, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1718, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against the issuance of a special purpose revenue bond for BlueEarth, the biodiesel operation. Mr. Speaker, there are several reasons why I oppose this. Number one, I believe it's premature. To my knowledge, this company, which is registered at, I believe, in Nevada, still hasn't filed its registration forms and given the information they need to give to Hawaii, to the DCCA, Department of Commerce and Consumer Affairs.

"The other reason is I support renewal of agriculture, support agriculture for food crops and I am concerned with going ahead with the biodiesel as the answer to Hawaii's energy needs.

"The third thing is, there is evidently this BlueEarth is going to have a partnership with Maui Electric, which is a subsidiary of Hawaiian Electric Company. And Hawaiian Electric has looked at biodiesel as the way to get it out of the problem of it failing to develop true renewable energy sources. Hawaiian Electric on Oahu uses 93% fossil fuel. It's now saying, 'Let us build another power plant and King's "X" we will run it on biodiesel'. And I say to Hawaiian Electric, 'Why don't you go out and develop the true renewable energy sources, which Hawaii is blessed with.' We have abundance of wind, solar, and certainly the wave energy. So I think that this is premature and not the good way to use our SPRBs. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure. Mr. Speaker, this is an opportunity for us to put our money where our mouth is when we say we we're dependent upon imported oil. We don't have enough sustainability in terms of our energy. We're polluting the environment and all the arguments that have been put forward towards us getting more energy efficient and this biodiesel is one opportunity to do that. In fact, to put 60% of our sugar and ag lands that are empty and growing weeds into productive purposes, and I would remind the speaker of Kailua that the biggest problem with American agriculture is overproduction, not underproduction. We have enough land to grow food. Every country has enough land to grow food. It's overproduction. That's the biggest problem of hunger in this country, as well as the world.

"But let's make no mistake. This is a test for HECO, Hawaiian Electric. They are the partners. They are the ones we are going to be watching. They are the ones who are going to deliver on this and lest we malign who they are in agreement with, I think the test of the pudding is going to be in the eating. Can they produce at what presumably is going to be very reasonable rates? Can they produce electricity?

"So the bottom line, Mr. Speaker, rather than saying spend billions of dollars and send them out to sea or to capture the wind, which eventually, we will, let's give them a chance to fight this battle on land, and give them the opportunity by giving them a break with these SPRBs. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I would like the comments of the previous speaker entered into the Journal as if they were my own.

"And for the edification of the Members, the land parcels to which this would occur is basically growing weeds. There's nothing there but rocks and weeds. This will provide much needed jobs for our ILWU workers, many of whom are being displaced from the closing of the pineapple factory. And also this will provide basically a way for us to stop shipping crude oil to Maui from the Middle East where our people are dying, and to get off the grid and to be energy self-sufficient.

"So while I do appreciate the concerns of food production and such, I think this is a very good project and I would like to publicly thank the Chair of EEP for all her hard work and her clarity and vision on this issue. Thank you."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of this measure. I'd like to incorporate the words that I spoke on this bill during Third Reading and adopt the words of the speaker from Lahaina, except the part where he talked about me," and the Chair "so ordered." (By reference only.)

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations. We hear about importing oil. We'll stop importing oil. Of course, when this bill was moving through the House, it was importing palm oil from Southeast Asia and if it is built anytime soon, it will continue to import palm oil from Southeast Asia because that's where most of it is grown. What's the difference between sending dollars out for petroleum or sending dollars out for palm oil?

"I feel like this is a little bit premature. There is a biodiesel factory on Maui that does a true recycle. They take fat that French fries and chickens are in and they recycle it into biodiesel. So those are my reservations on this. Thank you."

Representative McKelvey rose to respond, stating:

"Mr. Speaker, in rebuttal. First off, I don't remember ever a palm oil spill killing wildlife. Second of all, I don't remember a war being conducted for palm oil. Third of all, this is just temporary to bring the …"

Representative Meyer rose, stating:

"What does this have to do with anything?"

The Chair then stated:

"Representative Meyer, you're out of order. Representative McKelvey, please proceed in your rebuttal."

Representative McKelvey continued, stating:

"Third of all, this is just temporary until we can get local feed stock production up on-line. So anyways, that's just my point."

Representative Morita rose to respond, stating:

"Thank you, Mr. Speaker. Just a couple of items for the edification of the Members. The issue of imported palm oil is speculative at this point. The opponents of this measure are saying that they're going to use imported palm oil from Indonesia, but that was never stated by the proponent of the bill.

"Secondly, all palm oil is not bad palm oil. There is a possibility of rainforest being destroyed for the cultivation of palm oil. But there also palm oil being cultivated not from destroyed rainforest areas. The proponent of this bill stated that the initial feed stock may come from American oil crops and itself.

"So there's a lot of speculation going on about what the feed stock is. This is a 'chicken or egg' thing. In order to get local production of biocrops going, we may have to import feed stock to capture the market early. And all of these have to be discussed and there's a lot of due diligence that has to be done before we see this project."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with a slight reservation. And I do think that there is an issue of getting the fuel that's going to be needed to create electricity. In my travels to Southeast Asia on the front page, they were talking about the new industry, blossoming industry of biofuels and they definitely will be cutting down rainforests to put in the plant material that will be needed for creating this electricity. They had a certain crop that's not palm trees. There was another crop, I can't remember the name of it,

that they're going to be planting. They say it burns really, really hot and efficient, and they were seeing this as a new commodity. So, I just wanted to point that out. Thank you."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. Also, in strong support. And in support of palm oil, if I may mention a couple of things. One is there's a proviso, at least it's suggested in the bill that they will not be using palm oil, even though it doesn't say it specifically. The point is to use locally grown ag based kinds of fuels.

"Secondly, I appreciate the speaker from Kauai mentioning not all palm oil is bad. I have personal experience of two years of living in a village of ex-headhunters planting palm oil which saved their lives. They were able to plant, sell, and, in fact, become independent individuals in North Borneo.

"Also, because of the tradition of the losing of rainforests, reforestation is alive and well in Southeast Asia. I don't understand why some people in this country think that people in Southeast Asia are ignorant of ecological agriculture and the otherwise wellbeing of their land. Mr. Speaker, this has been for years and years been the case. And to malign people who have been hungry in the past, and this was many, many years ago when I was in that village, to do something that gives them sustenance and sustainability I think is a misplaced emphasis on this environmental reception. So let's give them a chance on Maui. Let's see what they can do. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Awana rose in support of the measure with reservations, and asked that the remarks of Representative Evans be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1718, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ELECTRICAL GENERATION ON THE ISLAND OF MAUI," passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Belatti, Berg, Finnegan, Pine and Thielen voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 172 and S.B. No. 686, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 686, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSISTANTS," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 173 and S.B. No. 688, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 688, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 174 and S.B. No. 1614, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1614, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I am in strong support. This measure will appropriate funding for the implementation for a new Human Resource Management Model at Waianae High School and its feeder schools to confront the teacher retention problem at the Waianae schools. If successful, this program will allow the DOE school system to recruit highly qualified teachers systemwide. In addition, human resource goals will include: the establishment of clear expectations to teacher performance, professional development with career focused opportunities and an induction program to acclimate new teachers to the area.

"In closing, this proposal is vital for the Waianae Coast. It will help to recruit and provide highly qualified teachers who will improve the education of the school system and increase the opportunity for students to achieve their dreams. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1614, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At 12:13 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1866, HD 3, SD 2, CD 1
H.B. No. 1719, HD 1, SD 1, CD 1
H.B. No. 1352, HD 1, SD 2, CD 1
S.B. No. 1718, HD 2, CD 1
S.B. No. 686, SD 1, HD 1, CD 1
S.B. No. 688, SD 2, HD 1, CD 1
S.B. No. 1614, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 175 and S.B. No. 1820, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1820, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support and I would like to thank the Chair of Education for taking an idea that I brought to him four years ago that we worked on together and making sure that that it moved forward through this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1820, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 177 and S.B. No. 1133, SD 3, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1133, SD 3, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support Senate Bill 1133, Conference Draft 1 with some reservations. By not allowing the temporary tax increase of $1 on rental motor vehicles to sunset as the original 1999 law provides, this bill maintains the projected and much needed $14,000,000 revenue stream into the State highway fund. However, I think that in fairness to the rental motor vehicle or U-drive industry which has carried the burden of this temporary tax, measures must be taken to ensure adequacy of the State highway fund by looking at all revenue sources. My hope is that the joint Senate and House taskforce will find a fair and equitable resolution to this matter of adequately funding our highways."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"This measure extends the sunset date of the rental motor vehicle surcharge tax, keeping it at $3 per day. The rate that it has been at since 1999. This will allow the State Highway Fund to retain about $14 million per year.

"Recognizing the importance of this matter, a joint taskforce of the House and Senate will be formed to examine the various funding sources for the Highway Fund. The Legislature, through this joint taskforce, will be in a better position to decide if the rental motor vehicle surcharge should be modified, made permanent, extended, or repealed.

"The condition of the roads and highways of the State remain as one of the top concerns of the general public. With repairs and renovations needed and the onset of the City and County of Honolulu's mass transit project, it may not be prudent to take monies away from the State highway fund at this time. A study done by the taskforce will help to clear the uncertainties."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1133, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Berg, Brower, Pine and Thielen voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 178 and S.B. No. 600, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 600, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Brower rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Members, I believe that if this measure is passed by the Legislature this Session, it will have gone to great lengths in promoting the conversion of leasehold land to fee simple. It'll have a major impact in helping individuals and families to keep their homes for generations to come. And I believe this will be at a reasonable cost.

"This measure sunsets in five years. The Department of Taxation estimates that this measure has a potential loss revenue of $900,000 each year. On the plus side, though, we pick up the conveyance taxes from the units sold. So I know that a lot of people in this room have some concerns about this measure, but I think there's the greatest concern, and that's the potential for more homelessness without this. Thank you, Mr. Speaker."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose in support of the measure, asked that the remarks of Representative Brower be entered in the Journal as her own, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support Senate Bill 600, Conference Draft 1. This bill provides an incentive to landowners to voluntarily convert their leasehold interests in condominiums, cooperatives, or planned unit developments during a five-year time period. Because these sales of leased fee interests are to associations of apartment owners or residential cooperative corporations, this bill is intended to assist residential lessees. Despite concerns about State revenue loss, I believe that overall this bill is an effective and targeted policy tool that encourages landowners to voluntarily sell their interests and allow residential lessees to acquire fee simple home ownership."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, strong support, and very briefly, just to point out, this is primarily intended for the 'mom and pop', small owner, those who have bought and built maybe a three, four story and who, without some incentives. And I commend this body for taking the entrepreneurial incentive to task here, and giving them a chance to sell off to enhance ownership.

"Mr. Speaker, we are only 57% owners, the rest are renters. The mainland is about 70%, so we need bills like this. We need to get home ownership to the people of Hawaii. Thank you."

Representative Chong rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. I just want a short rebuttal. A 'mom and pop' store of a two story walk up with four units, at a conservative $300,000 per unit, is $2.4 million. That's a millionaire. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, a small rebuttal on the question on the lease to fee conversion. Mr. Speaker, who in Hawaii does not have a mortgage? When you sell, you pay."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 600, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONVERSION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 180 and S.B. No. 1922, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1922, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I am in support. In recent years, we have passed tax incentives to help attract more film and creative media projects in Hawaii. However, what is the use of having film and creative media projects in Hawaii if the people of Hawaii cannot be a part of it? Therefore,

importantly, we supported the inception of the Academy of Creative Media at the University of Hawaii to help prepare our students to become a significant part of Hawaii's film and digital media industry. The Academy is playing a huge role in making sure Hawaii has its share of filmmakers, screen writers, computer graphic designers, and computer game programmers.

"In spite of its success, the Academy for Creative Media is without a central facility or permanent home on any campus and does not receive any funding for programmatic needs outside of faculty salaries. Senate Bill 1922 authorizes the Academy for Creative Media to designate the existing public broadcasting system (PBS Hawaii) facility and a studio located on the University of Hawaii at Manoa campus as an interim home and appropriates $2,870,000 or so much thereof as may be necessary for fiscal year 2007-2008 and $2,000,000 or so much thereof as may be necessary for fiscal year 2008-2009 for the equipment and installation suitable for the Academy for Creative Media programs, costs associated with handicapped compliance, and common area spaces of the PBS Hawaii facility and studio.

"In addition, we recognize that Hawaii's music industry is an established segment of Hawaii's creative media industries sector, with a growing popularity reaching far beyond the shores of our island state. Full recognition of the merits of Hawaiian music came in 2005 when the National Academy of Recording Arts and Sciences announced the creation of a Hawaiian music category in its annual Grammy Awards, the world's most prestigious music awards program.

"While Hawaii has an unusually high concentration of raw musical talent and industry professionals, it lacks the technical support infrastructure to assist individuals in the progression of their careers and businesses.

"Thus, Senate Bill 1922 also establishes a music and enterprise learning experience program at the University of Hawaii-Honolulu Community College to develop the technical business skills required by Hawaii's music artists and music industry.

"There is established at the University of Hawaii-Honolulu Community College campus the music and enterprise learning experience program to expand the existing industry capacity, and to create new technological, intercultural, and genre-bending forms of music through creativity and professional business expertise. The program will be developed around artist creativity, entertainment business expertise, and technical production skills.

"The program will collaborate with Belmont University of Nashville, Tennessee, on the joint use of Belmont's curriculum, technical facilities and equipment specifications, training, dual credit course offerings, and will also offer internships in some of the most varied music environments in the world.

"The program will be seeded through a Title III Developing Institutions grant that has been awarded to Honolulu Community College native Hawaiian center, and will provide for some basic program development of course offerings in coordination with Belmont University of Nashville, Tennessee.

"The bill appropriates out of the general revenues of the State of Hawaii the sum of $150,000 or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 to carry out the purposes of leasing, operating, and maintaining a music and entertainment business training center. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1922, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 181 and H.B. No. 317, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 317, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYMENT ORGANIZATIONS," passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Belatti, Saiki and Takamine voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 183 and H.B. No. 1670, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1670, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INGENUITY CHARTER," passed Final Reading by a vote of 44 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no and, with Representative Bertram being excused.

At 12:19 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1820, SD 1, HD 2, CD 1
S.B. No. 1133, SD 3, HD 1, CD 1
S.B. No. 600, HD 2, CD 1
S.B. No. 1922, SD 2, HD 1, CD 1
H.B. No. 317, HD 2, SD 2, CD 1
H.B. No. 1670, HD 2, SD 2, CD 1

Conf. Com. Rep. No. 184 and H.B. No. 1083, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1083, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 185 and H.B. No. 1659, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1659, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

Mr. Speaker, one of the most important obligations of this legislative body is to provide accountability for how taxpayer money is spent. The importance with which we should regard this responsibility is reflected in the purpose and provisions of this bill.

"This bill is a mechanism to create greater transparency and accountability by ensuring that funds solicited by government to cover the costs and expenses of state-sponsored trips and other activities to generate business opportunities and goodwill for the State are expended fairly and openly and subject to competitive procedures.

"With a more accurate mechanism to quantify if taxpayer money is being expended in an appropriate manner, government officials and agencies will achieve a greater understanding of the intent, outcome, and effectiveness of their policy decisions. Practices which obscure

the entities sponsoring state activities, for example, has the potential to create the harmful and dangerous perception that government is willfully hiding something from the public. Such ambiguity is misaligned with what should be the Legislature's goal of reaching a greater level of fiscal responsibility.

"I urge my colleagues to support this bill."

Representative Meyer rose to speak in opposition to the measure, stating:

"I am in strong opposition to this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1659, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 43 ayes to 7 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no and, with Representative Bertram being excused.

Conf. Com. Rep. No. 187 and H.B. No. 767, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 767, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RUNNING START PROGRAM FOR COLLEGE PREPARATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 188 and H.B. No. 777, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 777, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I just want to thank the Chair of the Higher Education Committee, as well as his counterpart in the Senate for expanding the Hawaii Educator Loan Program and I request permission to enter written comments into the Journal," and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I am in strong support on CCR 188, HB 777, HD2, SD 2, CD1.

"Mr. Speaker, in 2001, the Legislature enacted the Hawaii Educator Loan Program ("HELP") to deal with recruitment and retention of public school teachers. HELP was a recommendation made by the National Commission on Teaching and America's Future Hawaii Policy Group that was comprised of a comprehensive group of Hawaii's educational stakeholders including the Representatives from Kaneohe and Aiea, the then Chair and Vice Chair of the Education Committee in the House, respectively, and the Senator from Salt Lake, Chair of the Education Committee in the Senate. I was privileged to work with the NCTAF Hawaii Policy Group as an aide to the Chair of the policy group, Lt. Governor Mazie Hirono, and therefore have a vested interest in this measure.

"HELP is a loan forgiveness program administered by the University of Hawaii College of Education which allows any student who attends the UH COE and receives a degree in education and then teaches in the Department of Education for six consecutive years, to have his or her loan forgiven. In 2001, when the Hawaii Educator Loan Program was enacted, the Legislature appropriated $100,000 to this measure which successfully recruited 23 students who are now teaching in the DOE.

"While the Hawaii Educator Loan Program has proven itself successful, the State unfortunately continues to experience a teacher shortage particularly in hard-to-fill positions such as in rural area schools. HB777 HD2 SD2 CD1 now addresses these hard-to-fill positions by expanding the Hawaii Educator Loan Program to apply to students who teach in our rural area schools.

"Our Legislature this year has appropriated $250,000 to this measure and I want to thank the Chair of Higher Education and the Senate Education Chair for championing HB 777 this Session, which clearly demonstrates our State's commitment to recruiting qualified teachers to address the teacher shortage we are facing in our public schools. Accordingly, I stand in strong support. Thank you, Mr. Speaker."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Brief comments. When we started this program, I think it was the year 2000, and the NCTAF Hawaii group, National Commission on Teaching and America's Future Hawaii group, led by then Lieutenant Governor Mazie Hirono initiated this. I'm just happy today to see that we're moving forward on this because I think the first time we funded it was for $100,000 in 2000. And for many years now, it has sat there unfunded.

"So I congratulate and commend the introducer of this measure and I look forward to seeing more appropriations in the future for this particular program."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 777, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 189 and H.B. No. 1014, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1014, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 190 and H.B. No. 1764, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1764, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1764, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST HAWAII HEALTH SYSTEMS CORPORATION OR ANY OF ITS REGIONAL SUBSIDIARY CORPORATIONS," passed Final

Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 191 and S.B. No. 914, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 914, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH ISSUES OF COMMITTED PERSONS," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At 12:23 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1083, HD 2, SD 2, CD 1
H.B. No. 1659, HD 2, SD 1, CD 1
H.B. No. 767, HD 2, SD 2, CD 1
H.B. No. 777, HD 2, SD 2, CD 1
H.B. No. 1014, HD 2, SD 1, CD 1
H.B. No. 1764, HD 1, SD 1, CD 1
S.B. No. 914, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 192 and S.B. No. 1174, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1174, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

Mr. Speaker, I am in support of this measure. Mr. Speaker, Hawaii has more than 6,000 people behind bars – with more than 1,900 serving their sentences abroad. It is estimated that there are 6,665 children who have parents incarcerated within our system. Research shows that children of incarcerated parents suffer strong emotional reactions and are up to six times more likely to become a part of the criminal justice system themselves.

Mr. Speaker, this bill seeks to help reduce those numbers. This program supports the expansion of parent-child interaction programs such as the SKIP program at Waiawa to other State correctional facilities and institutions to facilitate appropriate child visitation of incarcerated parents. These programs strengthen family relationships and have a positive effect on preventing recidivism. In the words of one of the supporters of a similar bill:

> This program is such a valuable and important resource for families of incarcerated parents. It gives them hope and an opportunity to become functioning, loving, nurturing fathers, mothers and/or parents. It empowers people and families who are at rock bottom and believe the only alternative left to them is hurt and pain and to lash out at others. It is a lifeline, to better, secure, loving relationships. It empowers families and communities, and society.

"I urge all of my colleagues to vote in favor of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1174, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PARENTS," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 193 and S.B. No. 613, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 613, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 194 and S.B. No. 885, SD 2, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 885, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 195 and S.B. No. 603, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 603, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in strong support. I did just want to highlight a couple things. But before I do that, may I have a ruling on a potential conflict? Both my children go to charter schools," and the Chair ruled "no conflict."

Representative Finnegan continued, stating:

"Thank you. I just wanted to thank both the Senator from my area, as well as, the Chair of Education on this bill. The Charter Schools have since its origination has had really difficult time in operation and this bill really does go very, very far to help with the governance, to help with issues of funding. I just wanted to really thank our Education Chair for working so hard on this bill. He has been able to work with the Charter School community and I believe that they really feel heard through this bill passing in the way that it's passing. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"I just want to vote with reservations on this one here. I have some concerns with the progress of the Charter Schools in their governance. What we are creating is a two-tiered school system within the public school system, and I believe in time it's going to provide some major problems with the school system as it moves along with an independent policy making board other than the Board of Education and the Legislature. In fact, it becomes a three-tiered situation, so I do have some concerns with this. I think we moved ahead too rapidly on this particular measure. Thank you very much."

Representative Chong rose in support of the measure with reservations, and asked that the remarks of Representative Souki be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Just one short comment in regards to the previous speaker. We actually have moved quite slowly in regards to responding to the Charter School needs, but that's just another day, and another story. But one thing that I really regret not saying is, and now I am saying is, thank you very much to the Chair of Finance for also his support in this measure, as well as in the budget. And of course, without his support, without his taking a look

and listening, being able to hear what the Charter Schools were saying, that we would not be able to be in another year where these Charter Schools can still survive. Thank you."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support. This bill goes a long way towards supporting the Charter Schools."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In very strong support. If it wasn't for Charter Schools, in some areas of my district, there wouldn't be any schools at all."

Representative Souki rose to respond, stating:

'Yes, Mr. Speaker, again, I speak with strong reservations on this measure. I don't know if a lot of the members here realize, some years back we had an English standard and the regular school system within the Board of Education. For those who were privileged, they went to the English standard school, and for those who weren't, they just go to the plain public school system. This is the area that we seem to be going to where we have Charter Schools that provide, not for the equality of the school system that the Board originally was created for, that every school will have a similar method of education that no one would be better than the other.

"Now with this Charter School, you have a whole diverse situation where some of the Charter Schools have the parents and the expertise where they can rise above the other students. Whether this is good in some areas where the community will benefit, mostly it's in the communities where they can afford it. The more affluent communities will be the beneficiaries of this program, rather than those communities of more modest means. Thank you."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, since the establishment of the Charter School Review Panel last year, the Charter School Administrative Office, charter schools, and other members of the community have highlighted the need to clarify the appropriate relationship between and among the Panel, Board of Education, Charter School Administrative Office's Executive Director, and charter schools. This bill responds to that need and provides clarifications and alterations of roles and responsibilities of these parties. Specifically, one provision entrusts the duties of issuing and revoking charters, currently responsibilities of the Board of Education, to the Charter School Review Panel. This measure endows charter schools with greater autonomy and provides a mechanism for charter schools to carry out a more effective and streamlined administration.

"Additionally, this bill contains a provision requiring the most recently-approved executive budget recommendations for the DOE to be used as the basis for the Charter School Administration Office's annual budget request. This will assure that the appropriate base is applied to the calculation of the funding that charter schools should receive. Although a proper base is identified in this bill, the issue of how to calculate funding still remains. The Administration and the Board of Education need to address this issue in a fair and equitable manner."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At this time, the Chair stated:

"As the Chair stated, the Chair will call a recess to allow some of the Members to go to their press conference. There is lunch for all of you in the parlor adjacent to the Majority Caucus Room.

"Let me say this, the last Senate bill with a Floor Amendment was filed at 1:59 p.m. on Tuesday. Please understand that. So, no matter what happens, we will have to stay here until after 2:00. But I would like to get all of these things done on behalf of three of our colleagues, who will be leaving. That's why the Chair was trying to facilitate the discussion.

"So, at this time, we will recess and reconvene at 1:15 to take up all of the other measures on pages 10, 11, 12, and 13."

At 12:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:25 o'clock p.m.

Conf. Com. Rep. No. 196 and S.B. No. 1917, SD 3, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1917, SD 3, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I am in strong support of Senate Bill 1917, Conference Draft 1. For too many of our families, homelessness and the inability to afford the price of rent or a home are problems that demand our attention as legislators. This Session began with many ideas, and, as a legislative body, we are and have to remain committed to finding solutions to the problem of affordable housing and affordable rentals.

"This bill, however, is a good demonstration of our commitment. For example, by extending the 50% allocation of the conveyance tax into the Rental Housing Trust Fund for one more year, we are setting aside monies into a fund that benefits those individuals and families with incomes at or below 30%, 100%, or 140% of the median family income. Equally important are the Legislature's appropriation of $14,000,000 from the Rental Housing Trust Fund for the planning, development, and construction of affordable housing, and another $6,000,000 from general revenues to homeless shelters and services. As one of many steps to solving the homeless and affordable housing crises facing many our residents, this is an important and critical step for this Legislature to take."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mahalo very much to everyone on the money Committees for passing this very important bill for housing, giving $6 million for homeless causes, and also extending the Rental Housing Trust Fund's share the conveyance tax of 50% for another year. And that's going to generate about $14 million into the Rental Housing Trust Fund. So, mahalo. This will be a very good thing for the homeless. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support with reservation. One comment. Some of those funds will be used for the elevators, which are not

going to be repaired because of the budget cuts which we spoke about yesterday, and that's in need of repair. Thank you."

Representative Shimabukuro rose to respond, stating:

"Sorry. Just in brief response. There is $5 million that was a CIP allocated for the elevator repair and $20 million to HPHA in general for repair and maintenance. So hopefully, a lot of the concerns that have been raised will be addressed with our CIP and other budget items"

Representative Ward rose to respond, stating:

"Mr. Speaker, just to clarify. The Governor specifically asked for $15 million, specifically, for repairs of elevators, which were in such bad condition. HUD, and the Justice Department were sending warnings out to fix these elevators for these poor public housing conditions, otherwise, stairwells are going to have to be used. Thank you."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in strong support of this measure. The homeless crisis is something that everyone here has seen and recognizes as one of the more pressing dilemmas that we, as lawmakers, must address. This is a problem that must be handled with determination and perseverance.

"Mr. Speaker, I am pleased to say that this Legislature has made a significant commitment to stemming homelessness in the State. The development of affordable housing is the first and primary thing that can de done to combat homelessness in Hawaii. Recognizing this, $14 million has been diverted from the conveyance tax to the Hawaii Housing Finance and Development Corporation for the planning, development, and construction of affordable housing in cooperation with private and nonprofit developers.

"An appropriation of $6 million has been made to the Hawaii Public Housing Authority for homeless facilities, emergency shelters, and transitional shelters, outreach and support services for the homeless, continual operational funds to provide matching funds for federal housing programs, and operational funds to nonprofit agencies to develop affordable housing. Besides these appropriations, the biennium budget also provides noteworthy funding for various housing programs and homeless programs.

"Mr. Speaker, though this is a significant commitment, this Legislature must realize that more must be done and that the homeless crisis will not be solved overnight. We, as legislators, must not forget our duty to protect and look out for the best interests of some of the most needy in our society, who may just need a small hand to support themselves and their families."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1917, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 198 and S.B. No. 907, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 907, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I am in support of Senate Bill 907, SD2, HD2, CD1, Relating to the Office of Aerospace Development. This measure renames the Office of Space Industry in the Department of Business, Economic Development and Tourism (DBEDT) to the Office of Aerospace Development. The primary goal of this Office is to position Hawaii to be nationally and globally competitive in aerospace development.

"The Office shall be tasked with identifying opportunities for expanding and diversifying aerospace-related industries in the State. Its activities will include assisting the University of Hawaii, local companies, research institutions, and other interested organizations in establishing partnerships with corporate, government, and academic organizations that can promote and enhance the State's aerospace industry.

"This bill provides funds to allow DBEDT to establish and operate the Pacific International Center for Space Explorations (PISCES), to support space exploration and settlement. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"I rise in infinite support of Conf. Com. Rep. No. 198. As in, 'to infinity and beyond'. I use this not to delay the session, but to say, because I was really enthralled and taken by the implications of this aerospace bill. It will not only identify, promote, expand and diversify aerospace, it will set up the Pacific International Center for Space Exploration. That stretches your mind. That stretches the economy. And it stretches what we as the center of tourism in the world, have a very strong implication coming out of this bill because space tourism is one of the things that we can now concentrate on. So, this bill is an exciting step forward.

"What is space tourism? Before, you had to be a millionaire to get up into space in orbit. Now they have this thing called parabolic flights where you go straight up and down and you experience weightlessness for about a minute in about an hour and a half flight. It costs $3,500. It's prospering in Florida. They've just started last month in Las Vegas. And, Mr. Speaker, this gives DBEDT and the State of Hawaii a chance to get a leg up on that being that we have 7.5 million tourists. This is, to me, a 'no brainer', but something that's very, very exciting.

"Number two, this bill not only opens up for Hawaii through DBEDT with the space tourism, but also we have the best next thing to being on the moon with our lavascape on the Big Island. DBEDT is already in serious discussions with NASA to do simulated life and settlements on the moon. That to me is really exciting. I think the implication is, and it was mentioned in one of the Internet articles I researched, eventually they're going to move into space hotels, and nobody knows hospitality greater than us.

"My point of this, Mr. Speaker, is we talk about diversifying the economy, this is a golden opportunity. It's made for us. And I'm really happy that all of my colleagues have agreed that this is something that we can do and we can give Ted Liu the go ahead, so we will not only be first in hotel tourism in the world, but also the first in space tourism. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In strong support. Some of the Members will remember in 2000 when we honored Astronaut Buzz Aldren on this very Floor, and he is one of the strongest proponents of space tourism. And, incidentally, he and Neil Armstrong trained for their moon walk on the Big Island on Mauna Loa. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. This bill is out of this world, but it's definitely worth supporting. I just hope that we can still assess the TAT on our space hotels. Thank you."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I am in support. For nearly half a century, the State has supported our national space efforts, beginning with astronaut training programs in the late 1950s and the development of world-class observatories in the 1960s. Over the past three decades, the University of Hawaii, the United States military, and numerous companies statewide have also engaged in a variety of nationally-funded pioneering programs in planetary geosciences, satellite communications, remote sensing, environmental monitoring, and meteorology.

"The purpose of this bill is to position Hawaii to be nationally and globally competitive and recognized in aerospace development. The measure renames the Office of Space Industry to the Office of Aerospace Development, and adds additional duties and appropriates out of the general revenues of the State of Hawaii the sum of $500,000 or so much thereof as may be necessary for fiscal year 2007-2008 for the Office of Aerospace Development to carry out its duties to identify and promote opportunities for expanding and diversifying aerospace-related industries in the State. Thank you."

Representative Cabanilla rose in support of the measure and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 907, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 199 and H.B. No. 1631, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1631, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support, with written comments. Just very briefly, Mr. Speaker, this measure is one of the foundational pieces that we need to put in place to have measurements of what we want to see moving forward into an innovation economy. Mr. Speaker, this bill will gather information that we can analyze. This is one of the foundation pieces, along with the bill that we did hear earlier, Senate Bill 709. Thank you very much."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I am in strong support of House Bill 1631, HD2, SD2, CD1, Relating to High Technology Business Investment Tax Credit. This bill will allow the State to measure and promote greater understanding of the economic impact of the tax credit by gathering and analyzing important information from high technology businesses that are benefiting from it.

"This measure requires businesses that accept investments linked to the tax credit to complete an annual survey designed to measure economic benefits to the State, including criteria such as jobs created, wages paid to employees, revenues, and research activities.

"The information will be collected and analyzed by the Department of Taxation, and the Legislature will receive an annual report. This report will be a critical tool in guiding our policymakers in planning for high technology incentives in the future. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1631, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At 1:33 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1174, SD 1, HD 1, CD 1
S.B. No. 613, SD 2, HD 2, CD 1
S.B. No. 885, SD 2, HD 3, CD 1
S.B. No. 603, SD 2, HD 2, CD 1
S.B. No. 1917, SD 3, HD 2, CD 1
S.B. No. 907, SD 2, HD 2, CD 1
H.B. No. 1631, HD 2, SD 2, CD 1

Conf. Com. Rep. No. 200 and H.B. No. 1008, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1008, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Very brief comments in support. This is the Keiki Care Bill, Members, and I think we should all be proud that we are going to be providing insurance for every single child in the State of Hawaii. It's been a long road supported by Democrats and Republicans alike, including the Administration. Hawaii can now count itself at the top of the nation for taking care of its children. Thank you, Mr. Speaker."

Representative Mizuno rose in support of the measure and asked that the remarks of Representative Green be entered in the Journal as his own, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I am in support of H.B. No. 1008, H.D. 2, S.D. 2, C.D. 1. This bill will work toward ensuring that all of Hawaii's children receive appropriate health care.

"Mr. Speaker, Hawaii was progressive in its thinking by establishing the Prepaid Health Care Act in 1974 to ensure that almost all of our residents would be able to receive proper healthcare. In fact, we were often looked at as a model for healthcare. Yet, today, there continues to be a gap group that remains uninsured since they are ineligible for either State or federal healthcare coverage. This gap group often includes many of our most vulnerable residents – our children.

"In this great State of ours, it is unbelievable that a significant number of children, our most precious resource, are forced to go through their most formative years without one of the basic necessities of life – proper healthcare. This bill is a major step in addressing this most pressing need.

"Mr. Speaker and colleagues, many families with uninsured children find themselves in a 'Catch-22' situation: Their incomes are

too high for them to qualify for Medicaid or Hawaii's QUEST Program, but too low to afford the high costs of health insurance. The establishment of the Hawaii Infant Health Care Program and the Hawaii Children's Health Care Program, as well as expanding coverage through QUEST-Net for all eligible children up to 300% of the federal poverty level, will make significant strides towards ensuring that all of Hawaii's *keiki* are receiving the appropriate healthcare they need.

"It has already been estimated that the initiation of these programs will benefit 3,500 of Hawaii's children. That's 3,500 children receiving healthcare who at one time, had no healthcare at all. In my mind, that is a tremendous accomplishment and well worth any costs these programs might incur.

"However, we all know that cost is always a factor that plays into any decision we, as legislators, make. While implementation of these initiatives will have initial costs, I assert that this is a cost-effective investment. Most people without health insurance or proper healthcare inevitably use the hospital emergency room, one of the most expensive healthcare settings, for their non-emergent healthcare needs. This adds to healthcare costs and puts further strain on an already taxed emergency healthcare system. The economy suffers, as work days are lost due to a child's illness.

"In addition, less quantifiable losses are felt by parents who cannot afford healthcare for their children as this adds to the already difficult and stressful job of raising a child in today's world. Thus, I believe our initial investment will pay large dividends to our society over time. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1008, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH CARE," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 201 and H.B. No. 212, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 212, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm voting against this measure. This measure will create a temporary Maui Health Initiative Task Force to develop a comprehensive, strategic health plan for Maui County. The problem I have is with the composition of this taskforce. The bill seems to set up a situation that's a foolish attempt by the legislative body to flex its muscles against the Executive Branch. Out of the 15 members on this Board, 7 will be appointed by the Mayor of Maui, 4 will be appointed by the Speaker of the House, and four will be appointed by the President of the Senate, without the need of the Governor's approval."

The Chair then addressed Representative Meyer, stating:

"Is this Conf. Com. Rep. No. 201 that you are addressing?"

Representative Meyer responded, stating:

"Yes, Conf. Com. Rep. No. 201, HB No. 212, Relating to Health Care. It doesn't sound familiar, I guess.

"Also, this bill does not allow for a taskforce member to be employed by the Department of Health or the State Health Planning and Development Agency. It seems to me that we would want members on the Board that are familiar with the problems relating to health and Maui, not this partisan taskforce.

"I also don't understand why the money that is being appropriated in this bill goes to the John A. Burns School of Medicine. The money should go to the Department of Health for they have already dealt with the issue relating to health needs and work force shortages, and would just add all the new data to what they already have.

"Mr. Speaker, I'm disappointed that this Legislature would play partisan politics with the health of the people of Maui. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I did take a look back on this bill. As it left the House that it did establish a statewide comprehensive healthcare work force map, and that was something that I know that the people on our taskforce that we had really wanted. So, I do have reservations. Thank you so much."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 212, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Meyer voting no, and with Representative Bertram being excused.

Conf. Com. Rep. No. 202 and H.B. No. 1529, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1529, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SCHOLARSHIP PROGRAMS AT THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

Conf. Com. Rep. No. 203 and S.B. No. 1365, SD 2, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1365, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY," passed Final Reading by a vote of 50 ayes and, with Representative Bertram being excused.

At 1:37 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1008, HD 2, SD 2, CD 1
H.B. No. 212, HD 2, SD 2, CD 1
H.B. No. 1529, HD 2, SD 2, CD 1
S.B. No. 1365, SD 2, HD 3, CD 1

H.B. No. 1757, HD 1, SD 3, CD 2:

Representative Caldwell moved that H.B. No. 1757, HD 1, SD 3, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Morita rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, while I wholeheartedly support Part I of this measure, I cannot support Part II of this bill. The general excise tax

is a tax for the privilege of doing business in the State on Hawaii. It is a tax on the business (which chooses to pass it on to the consumer), not a sales tax (which is a tax the consumer is responsible for). If we really wanted to give Hawaii taxpayers a break it should be in the form of an income tax credit or tax deduction. Secondly, without a full understanding of gasoline pricing in Hawaii, there is no feasible way to determine if the retailer is actually passing on the savings to the consumer, no matter what goodwill the oil companies claim.

"This is a quote from an article in this morning's paper: "Customers certainly won't have a problem with cheaper gas", said Jordan Barnhorst of Kane'ohe, who paid $3.27 per gallon for super unleaded fuel to fill up his BMW X-5.

""Who doesn't want lower gas prices, right?" Barnhorst said. "No one complains about this, especially those of us with big SUVs that guzzle gas."

"It is ironic that this morning we passed a bill dealing with greenhouse gas emissions reduction. Lower gas prices does nothing to help in this area. We really should be looking at how tax revenues generated from the sale of gasoline can be used to redirect our energy future for the better rather than losing this revenue just to promote energy inefficiencies especially the driving of gas guzzling SUV's. This is a bad tax policy that does not further the interest of Hawaii residents in the long run."

The motion was put to vote by the Chair and carried, and H.B. No. 1757, HD 1, SD 3, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Morita voting no, and with Representative Bertram being excused.

At 1:39 o'clock p.m., the Chair noted that H.B. No. 1757, HD 1, SD 3, CD 2, passed Final Reading.

At 1:39 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:43 o'clock p.m.

At this time, the Chair announced.

"At this time members, at the Chair's recommendation, can you move to page 12, we will be taking S.B. No. 1792, SD 3, HD 3, CD 2, out of order."

S.B. No. 1792, SD 3, HD 3, CD 2:

Representative Caldwell moved that S.B. No. 1792, SD 3, HD 3, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support. I do have some personal reservations, but I stand in support. Where to begin? Members, the healing process must begin. That's the case for healthcare on the individual level, our work as legislators, and our work in the healthcare system of Hawaii. This has been the most complicated bill I have ever seen. It's the largest bill from a healthcare standpoint that we've taken up this Session.

"I'm going to speak about a couple of issues today. I'll speak about my reservations and my support.

"First of all, I want to say the reason that I'm supporting this bill today is because we've come so far this Session. We've worked on many measures. We worked on rate regulation, which I was proud of. We've taken up measures like Keiki Care, and we've recommitted ourselves to reinvesting in the healthcare system. And then comes a bill that relates to our safety net, Hawaii Health Systems Corporation, a bill that, I'm the first to admit, has been so complicated that I've been in favor of it, pretty much right after I submitted my own personal draft. I supported that, of course. And then I was opposed to it when I had concerns that it was too focused on one region. And then, finally, after a lot of gut-wrenching thoughts, realizing that the bill would not make the sky fall.

"We've changed this bill many times. We've looked into it many times. The reservations I had, the most significant reservations, did revolve around a process that I felt at times, we were rushed. This bill is so colossal that it is a bill that in some cases we have to be more careful than any on. But I have read the drafts over and over again, and I really respect the work that all of the Conferees did to find a balance on the Board. The new Boards, the Regional Boards, which is what this creates, do represent each region very well. I think that is important to every Neighbor Islander that's out here. That was one of the most important things to me. Do they trump my concerns about process? Well, I have got to tell you this. At the end of the day, what we're charged to do here is to make sure that Hawaii Health Systems Corporation is our safety net and remains our safety net. That's what we have to be vigilant about.

"So what I would submit to you is that as we go forward and create these Regional Boards, and as those Regional Boards create the Corporate Board, they will be what we make of it as politicians and individuals concerned with healthcare. It's not an easy bill. It's not an easy bill because there are so many people that are passionate about it. Even the Big Island delegation was divided in many ways on this bill. I took my lumps on this bill as a physician. There were a lot of questions as to whether I should be involved. I maintained from the beginning that I should be involved because as a physician, even though I do work as a contract physician in HHSC, I knew this system very well, and I have, therefore, concerns from inside looking out, in addition to looking outside looking in as a member of this body.

"Are there concerns about procurement? We've always had concerns about procurement, and I still have them. I hope that as we go forward with the regional procurement exemption, that we'll audit each of those regions, not out of vindictiveness at all, but out of safety. That was a recommendation that I discussed with one of my colleagues from the Big Island at length.

"At the end of the day, I want you all to know that I spent time with every group. I flew to Maui to discuss it with the Maui CEO and the doctors at that department, and they felt strongly in support of this measure. That was when I was at my lowest and had my greatest concerns. I traveled, of course, around the Big Island and sought opinions, and they were very mixed in their position, Hilo and Kona feeling very differently at different times on this bill.

"I was respectfully asked by the Republican Caucus to address some of my concerns about this bill and I appreciate that. We discussed at length about process, about other issues that were involved in the bill and about the actual composition of the Board itself. I went to the extent of calling the CEO of the company of HHSC to ask what he really believed at the end of the whole process, whether it would hurt the healthcare situation in Hawaii or would it help it. And that CEO did tell me that he thought it was time to move forward. He had great misgivings, of course, but I think that it's important as legislators to hear every opinion.

"And then finally, I leaned on my colleagues and I asked them really, what is our goal? Are we here to make sure HHSC goes forward in a more responsive way? And the answer was a resounding, yes. I do want to honor the amendment that was offered. It greatly improved the bill and allayed many of my concerns.

"So Members, I'll close with this thought. We all are committed to making sure the safety net is stable. We're all committed to making

sure everyone has adequate healthcare, whether it's from HHSC or any other provider in the State. So going forward, let's take this chance, whether we're for or against this bill, to shepherd it together to make sure Hawaii Health Systems Corporation in 2008 and 2009 and 2010 becomes a much stronger organization, that the Regional Boards created do not compete amongst themselves, but cooperate together. That they come to us as a legislative body and tell us what they honestly believe will be in the best interest of every citizen in the State of Hawaii.

"So in spite of my misgivings about certain events, I do not harbor any ill feelings and it's not my place to actually place them on this Floor. It's my place to tell you I don't think the sky will fall, and that we have to go forward together to create a better health system. I'm not asking you to vote yes. I'm certainly not asking people to vote no. What I'm asking us is to all come together and make sure that we go in a singular better direction for the state of healthcare in Hawaii. So I cast a yes vote."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this bill. Mr. Speaker, while I truly appreciate the efforts of the Representative from Kahului in keeping the essence of the House Draft 3 version of this bill in this Conference Draft, I do have some concerns and would like to explain my opposition. While there are areas of this bill that may be problematic, these can be fixed with future amendments. However, my concerns cannot be fixed by legislation.

"Mr. Speaker, my heart tells me to trust the system, but my *na'au* feels otherwise. The integrity of preserving the safety net of a statewide health system hinges on the guidance of the Board of the Hawaii Health Systems Corporation. The integrity of the Board of the Hawaii Health Systems Corporation is dependent on the selection process and appointments to the Board. It is my hope that when appointed to the HHSC Board, each Board member will rise to the responsibility in assisting the regions to work collaboratively and cooperatively to maintain this important safety net statewide.

"Mr. Speaker, part of the selection process is in your hands. I hope you will help to prove me wrong. My worst fear is that the Board will disintegrate pitting region against region for scarce State resources by individuals who may have only the interest of their region at heart and not the integrity of maintaining a statewide system. Only time will tell if I am wrong in my assessment, and in this case, I hope I am proved wrong. Mr. Speaker, may I submit additional comments just to point out the areas of the Conference Draft that I think may need to be amended. Thank you."

Representative Morita's written remarks are as follows:

"Mr. Speaker, here are areas of the bill that I find problematic and where we should consider future amendments:

"Although this may be moot by the time the Legislature can address the issue, the measure provides an inadequate transition process, eliminating the existing system board too quickly and not enough time to establish the Regional Boards. The terms of several existing Corporate Board members will be terminated in December 30, 2007, and the remaining will be terminated on September 30, 2008, not leaving in place the experienced Board members to govern the reorganization to regional governance. Healthcare is a complex industry. Coupled with the fact Hawaii Health Systems Corporation (HHSC) is a State agency, it takes six months to a year for Board members to learn enough about the system to become an effective Board member.

"At the same time that the existing, experienced Board is being eliminated, the bill requires the immediate establishment of all 5 Regional Boards. The Regional Boards will assume custodial control of all the assets of the corporation in their respective regions, and will operate the facilities consistent with corporate policies and procedures. In order to set up this system of policies, the Corporation Board must be knowledgeable about the operation of the facilities and system. Not only will the Board members be new, but resources will be overtaxed as the new boards are set up and the Kahuku Hospital acquisition goes forward. To impose this timeline and a new Board of Directors is to set up the reorganization for failure.

"The elimination of the community based input for nominations to the HHSC board does not further the purpose of this measure to increase community involvement and creates an imbalance between the nomination and appointment authorities for the HHSC board.

"The bill provides that 10 of the 15 Corporate Board members shall be appointed by the Governor after nomination by the Senate and House leadership. The purpose of the bill is to "advance the State's commitment to provide quality healthcare for the people of Hawaii, by moving forward on the original taskforce recommendation of community-based governance and establishing regional system boards for all regions, to be governed by a community-based regional system Board of Directors, and to provide the necessary authority for each region to accomplish the goal of community-based governance." The nomination process for the corporate board should be more open so that the community leaders and other interested people who are served by the community hospitals may submit names to the Governor for possible Board membership. In this way, a truly community based system will be established.

"The contract priority clause in this measure may impede the ability of the corporation to conduct systemwide contracting for economies of scale and consistency of care. The contracts clause in Section 23, allows a regional board to enter into a contract exclusively for that region, and if it conflicts with a corporation contract, the regional contract prevails. This clause will put into question the ability of the corporation to do systemwide buying, which is essential to operating a hospital system economically. The system will not be able to sign a contract knowing that it is a conditional approval: conditioned on the regions not signing a conflicting contract.

"The ability of one region to pledge assets of other regions in the corporation in a bond issuance will adversely impact financial security of the entire system. Most of the bond language is not necessary to issue a bond and would be more appropriately placed in the bond covenants. However, the language appears to assume that the regional boards are legal entities, which they are not and there in creates a conflict and legal question.

Other problems for the measure are as follows:

- The Regional Boards are allowed to acquire property in their own names yet they are not legal entities. Other areas of the measure acknowledge that the regions have custodial control of the property recognizing they are not legal entities that can own property.

- Employees retain their rights in the Executive Branch. However, HHSC employees are not employees of the Executive Branch. HHSC has its own civil service jurisdiction. This language should be amended or even eliminated, since there is no change in employment with the establishment of the regional boards where HHSC remains the employer.

- Procurement code exemption is only allowed for Regions, but should include the Corporation so there is no need for two sets of policies and the possibility of confusion that may result.

- Regional CEOs and CFOs can only be fired for malfeasance, like dismissal of a Board member (felony conviction, etc.) until Jan 1, 2009. These exempt employees of the State should not be given this special treatment. (Section 2, pg 5). Only the Regional Boards are involved in the hiring of the Regional CEO

until Jan 1, 2009; it should be a joint decision between the Corporate Board and the Regional Board.

- Regional Boards are self-perpetuating after the initial appointments. We need to question whether we really intend such as a policy."

Representative Belatti rose in opposition to the measure and asked that the remarks of Representative Morita be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also rise in opposition to this measure. I think the good doctor from the Big Island said it well; that we need healing. In fact, some of our necks are going back and forth so often, flip flopping on this bill, flop flopping on the way it's been written, flip flopping on the way it's been interpreted. We get a headache, which tells us, as legislators, something's wrong, not only procedurally, that he mentioned and apologized or asked for forgiveness for, but something procedurally in terms of when you got a half-baked legislation, you shouldn't rush it through. If anything, we should probably be doing a sunrise on what we should be doing, rather than rushing into this because there's been so many versions, so many different, very complicated things. Anybody who really knows what is in this bill, intellectually, honestly, probably can't say that they know it, which really means it's going to leave it to chance.

"And Mr. Speaker, I think when we deal with people's lives in the hospital system, we have our first obligation not to our districts, but to the State of Hawaii and the welfare of the people of Hawaii. This bill unfortunately brings us quickly back to the past. It's going towards the future, but back to the past, which, when this body considered it over ten years ago, we were saying they're too independently unstable, they're not systematic, they're not getting the quota of breaks in bulk purchasing. Let's get them all together. Now, we've got the first dismemberment or the first volley to dismemberment before us today. God bless Maui. Maui no ka oi. I really like the spirit that drives Maui. But this bill is not about Maui. It's about the State of Hawaii, the people of Hawaii, the hospitals of Hawaii, and the security and the well-being of those hospitals, of which I believe, Mr. Speaker, is a precipitous step in that direction with this bill.

"The only analogy I can think of is when Yugoslavia sat around the table and Slovenia, who had been paying most of the taxes, said, 'I'm out of here. We supported you guys, we're out of here.' And then after Slovenia, the whole Balkanization of that great country, that great people disintegrated. No one here today, regardless of which way they vote, will know what's going to come out of this by this particular bill. Nobody knows. It's a crapshoot, if I may. It's for some a motion to get particular leaders and other particular management styles maybe put aside, but that's not what this is about. If you've go a problem with a taxi driver, you don't go and change the taxis just because you had a problem with the driver.

"Mr. Speaker, I think this is a bit misguided and we're taking a risk, and in conclusion, I would say cooler minds should prevail. And the way that this bill, right until the last minute, even to this moment on the Floor, of which I was informed of only an hour and a half ago, that some people had changed their minds because some interpretation has changed, that we are now putting legislation, or at least locking it in to a point which I think jeopardizes the whole system. And that's what we're here for, the whole system, not just one. Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, if I can have the words from my Chair, the Representative from North Kona, placed into the Journal as if they were my own, notwithstanding, the with reservations vote," and the Chair "so ordered." (By reference only.)

Representative Mizuno continued, stating:

"Mr. Speaker, Senate Bill 1792, as we can see, has gone through a number of drafts. This bill has created a passionate response with a great deal of debate through our legislative process. Nearly thousands of testimonies has been received on this measure. In fact, our hearing in your Health Committee had more testimony than we did on the death with dignity, physician assisted suicide bill. Of course, this is a very important issue. As I stated in an earlier floor session, this will affect 12 community hospitals, 13 when Kahuku is added. This is the nation's fourth largest community hospital system, so by no way do I think that we are going too fast. We did a number of safeguards and reviewing and reading before we came up with this conclusion, a number of floor amendments, and a number of drafts.

"Looking through the history of Hawaii Health Systems Corporation, also known as HHSC, 14 years ago, a taskforce was convened to make recommendations on our healthcare system. This is what the taskforce came up with and I quote, "The Hawaii Health Systems Corporation should administer the state facilities in a decentralized fashion with the facilities to be grouped into five regions."

"Mr. Speaker, that was 13 years ago and I humbly ask, Members, to support this. The time is now to initiate that recommendation by creating Regional System Boards responsible for local governance, operations, and administration of the delivery of hospital services in each of the five regions in our State. This will help us to ensure that local community stakeholders through independent regional system boards will be in the best position to make critical decisions relating to their community hospitals.

"One of the rationales behind this, Mr. Speaker, is certain decisions in Ka'u, or Maui, or Lanai City, at their hospitals, may not be appropriate for one of our hospitals on Oahu. It's different. We need to allow our Regional Boards to make those independent decisions because it's affecting them. They would know better than us.

"Mr. Speaker, at the Health Committee hearing, nine members were there, and at the Finance hearing we had 17 members present. Tom Driscoll, who is the President and Chief Executive Officer of HHSC, stated that he knows they have problems with HHSC, with their system. He was very honest and forthcoming. He said he knows they have concerns. And this is what he told us, both at the Health hearing and at the hearing of Finance: 'Please, no to affiliate corporations. You're going to end up breaking HHSC.' But he did say this: 'Let's go with Regional Boards. Let's go with Regional Boards and let's empower them.' Every member that was at the Health hearing and at the Finance hearing knows that. 'Let's go with Regional Boards, let's empower them.'

"I respect Mr. Driscoll and I think that's what we're doing today. I do want to commend Chair Green and Representative Nakasone for an outstanding job they did in Conference, and the Chair and Vice Chair of the WAM Committee on the Senate side. For those reasons, Mr. Speaker, I support this measure."

Representative Sagum rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict. I'm with the Management Advisory Committee, for the Kauai MAC," and the Chair ruled "no conflict."

Representative Sagum continued, stating:

"With that, I'd like to adopt the words from the Representative from North Kona as my own," and the Chair "so ordered."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would like a ruling on a potential conflict. At my law firm, I represent HHSC on procurement matters," and the Chair ruled "no conflict."

Representative Green rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I do apologize. I meant to ask for a potential conflict. I've asked for it so many times, it actually slipped my mind," and the Chair ruled "no conflict."

Representative Takai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. First, I would like the words of the Representative from Hanalei entered into the Journal as if they were my own. Thank you.

"This is a very difficult issue. I think we can all admit that. Before talking about the CD 2 that we have in front of us, I just wanted to spend a few minutes talking a little bit about what was prior to the invention of the Health Systems Corporation.

"In 1996, when we were here, Mr. Speaker, we voted to create this system, because as you recall, all of the regional hospitals were dilapidated, were worn down, were in terrible disarray. The facilities were old. And it's not for the lack of trying. I think many people throughout the State worked very hard to ensure adequate health system, and healthcare for all. However, we recognized back then in 1996, and even prior, in 1994, when the taskforce came out with their recommendations that in order to be successful, we had to pull these regional hospitals and facilities together as one, one system. And over the course of the next decade or so, they have moved the system forward. Today we have a number of healthcare facilities throughout the State, Neighbor Islands, especially, and the rural areas on Oahu, as well, that are doing quite well in serving their communities.

"That brings me to today's discussion. And I agree with some of the speakers prior regarding their concerns about how quickly we're moving in this direction without total awareness of the consequences of even some of the mandates in CD 2. When we started this Session, many people were concerned. The Senate position coming to us was to breakup this system. Our House Draft 3 position as it left on Second Crossover was that we would empower Regional Boards. The CD 1 that came out on Friday night was very lacking and there were much, much more to be desired, and I'm so glad that there were efforts made both in this house and the other house to deal with some of the major concerns, which we now see addressed in CD 2.

"We do have some problems. I continue to have some problems with CD 2. Just a few I'll mention right now. I think enabling the Regional Boards, providing procurement exemption to them is a step in the right direction. But I question why, why we don't allow the system to have the exemption as well. And I think it's going to be problematic in the future when these bulk purchase agreements come due and the regions can move forward, but as a system, they may not be able to. That's going to be a problem, Mr. Speaker, and I hope we can address it in the future.

"And I think the Representative from Hanalei talked a little bit about the concerns that she had in regards to the makeup of the System Board as we move forward. I share her concerns. I think as I spoke many times on the Floor prior regarding this particular issue, what I do hope we do not see is what we saw in the '90s, prior to the creation of HHSC where each region came to us specifically, and only concerning, their own interest. It was a dog fight, Mr. Speaker, here at the Capitol, and I hope we don't see that again. And like I mentioned before, there's a reason why we have a statewide Department of Education system, and a statewide University of Hawaii system, because by doing so, we promote this idea of a one-state system and we move forward as such. But then, that's for the future to decide and we'll see how well this new Board, with its new members, comprised of a couple of representatives from each of the regional boards can handle this challenge.

"There are a few more concerns that I have, Mr. Speaker, but what I'd like to do is request that I insert written comments in the Journal. Thank you.

"As we move forward, I would like to mention that I, for one, recognize the challenge for this, for us, is really a challenge for the Neighbor Island Representatives and the Representatives in the rural areas of Oahu. But as a public health educator, and one that prior to being elected to this body was really concerned about the healthcare of the State and continues to be concerned, I for one, am willing to put concerns aside and work forward to make sure that we ensure the continuation of a robust healthcare system for our citizens throughout the State. Thank you, Mr. Speaker."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I am in strong opposition of this measure.

"The intent of this landmark legislation is to move the community hospital system forward into a structure that will provide the communities served with a more active role in the operations of their local hospitals balanced with oversight by a strong, central, umbrella corporation. This bill should be construed with that balance in mind: the corporation board has the ultimate responsibility and authority as the sole legal entity and State agency while the regional boards have local decision-making power to implement corporate policy in a manner that furthers the needs of the local communities.

"Real local community involvement is necessary to ensure that the community hospitals meet the needs of the people served: our residents and visitors. The Regional Board concept is an evolution of the public health facility Management Advisory Committees, which have been an effective voice in presenting viewpoints to the local hospitals and the corporation, according to the testimony. The success of the 10-year old Corporation and its hospitals in providing quality care and expanding services to meet the needs of the local communities was well documented in the testimony. Although most testimony supports the conclusion that the majority of the regions didn't feel the need to move to the next step of Regional Boards with delegated decision-making authority, there was disagreement on this point. There was strong testimony, primarily from the Maui region, that a change in structure was absolutely mandatory for the survival of their hospitals due to physician disenchantment. In fact, Maui was pushing for the creation of new corporations for each region that would have been separate legal entities.

"I support the public policy behind community involvement in the government owned community hospital system. However, I am voting NO to SB1792 because there are several problems with the bill, as written. In addition, I strongly object to the way it was pushed through the Legislature with last minute changes to the language and toying with the make-up of the Conference Committee members up to the last hour of conference. Finally, this bill is simply premature and too important to rush through the session, without first bringing all the stakeholders together to carefully work out the detailed language that will have such a significant impact on our safety-net healthcare system. This is further exacerbated by the fact no transition time allowed in the bill, with immediate appointment of Regional Boards and early termination of existing Board member terms, with little time for the Corporation to set up a reasonable timeline and processes to increase the chance of successful implementation of this major reengineering effort.

"Some of the specific problems with the bill include the following:

1. The powers section includes a clause giving precedence to regional contracts over conflicting systemwide contracts under

certain situations. (Section 23, page 56 to 57; 323F-7(c)(3) (B)). My concern is how this clause may be interpreted. The intent is not to place in jeopardy the ability of the Corporation to conduct multi-regional contracting, which is essential to efficient operation and is one of the benefits of a multi-facility system. The intent of the clause is that it is applicable only if the corporation enters into a contract on behalf of a single region and that region does not agree with the contract and enters into its own conflicting contract that conforms to corporate policies. In that case, the regional contract shall prevail. The ability of the corporation to continue its systemwide or multi-region contracting and ventures is not impeded by this clause, if construed according to this intent.

2. The bill is full of language inserted last minute by Maui bond counsel, which would be more appropriately included in the bond covenants, not the statutes. While there was agreement at the Conference Committee to put the bond language into a separate bill applicable to a specific Maui bond issuance, only one section was deleted and the language remains in several other places. The provisions giving power to the Regional Boards are intended to reassure underwriters and purchasers of the bonds that the agreements signed by the regional boards are enforceable. As stated throughout the bill, these powers must be exercised in conformity with corporate policies and procedures in order to not adversely affect the other regions. (See, for example, Section 23, paragraphs 8, 17, 19, 26; Section 30 (a).).

3. Section 35 of the bill states that certain employees will retain their rights as employees of the executive branch. HHSC has its own separate civil service jurisdiction from the Executive Branch and HHSC is considered "the employer" under applicable statutes. Therefore, this section must be construed as meaning that the referenced civil service employees of HHSC will not lose their status as employees of HHSC. Since the Regional Boards are not separate State agencies, the employment provisions must be construed as not changing the employer to the Executive Branch: they remain employees of HHSC.

4. The Regional Boards are allowed to "acquire" property in their own names yet they are not legal entities. The intent of the bill throughout is clear in stating that the regions shall have custodial control of the property; they are not empowered with ownership because they are not separate legal entities. Therefore, the two sections that allow the regions to "acquire" property must be construed as allowing them to make the purchase or enter into the agreement to obtain the property, as set forth in the powers section, but it does not render the acquiring region the200 title owner of the property. HHSC is the owner of property acquired before and after passage of the bill, as the only legal entity in the system at the time of passage of this bill. (See Section 23, paragraphs 10 and18).

5. The Corporation Board composition provides that two physicians shall be appointed by the Corporation Board. The language states that the physicians shall come from the different regions. Region I (Oahu) is left out of the rotation and the language requires appointment of both physicians from the same region (instead of having physicians from different regions serving at the same time). (Section 19). This last minute language disenfranchises the Oahu region physicians. The physicians should come from different regions to spread the representation and work.

6. The composition of the Corporation Board raises other areas of concern. 10 of the 15 members come from nominees of the Legislature. I agree with some of the comments raised by my colleagues that this process places the Legislature in the realm of implementation of law, rather than authoring law. I do not know the consequences of this feature to HHSC as yet, but raise this as a concern. In order to more fully implement the purpose of this bill which is to enhance local community involvement, the Regional Board members and other people in the local communities should be involved in nomination of the majority of the Board members, not just legislators who may have other agendas.

7. A similar issue is the quick termination of the existing Board members, some of whom have dozens of years of experience working with the community hospitals in various capacities. At a time when stability and knowledgeable governance is required in order to implement the new structure, this bill prematurely dismisses the Board of Directors. The quick transition coupled with the fact most Board members will be nominees of the House and Senate leadership is not in the best interests of the organization.

8. The Procurement Code exemption is granted to the Regional Boards, but not the Corporate Board. This does not make sense and will require different procedures, causing confusion and unnecessary extra work. Rather than encouraging systemwide buying, which is a standard cost cutting measure for hospital systems, this encourages the regions to buy on their own so they do not have to wade thru all the procedures of the Code.

9. The fiscal provisions allow the regions to develop and submit their own budgets through the system board, determine their own rates, handle their own cash flow, spend the money consistent with Corporate wide policies, and keep their excess revenues for the betterment of their regional facilities. In future biennium budget years, the facilities will negotiate with the corporate office for the services the Corporation will provide and the methodology for allocating those costs among the hospitals. With an operating budget of over $400,000,000 of State appropriations split among the 5 regions, the regions have the fiduciary duty to operate in a prudent manner and within corporation policies and procedures. We do not know the impact on the hospital system of these provisions, but we do know that cash flow is a serious problem for HHSC, which is expected to not keep reserves from year to year but is expected to be able to meet its large payroll and vendor payment obligations. The inability of the corporation to move cash around in order to keep up with obligations may prove to be a mistake. The fiscal provisions will need to be studied carefully and the regions and corporation financial management reviewed in order to determine if the system established in this bill is practical and sets up the appropriate checks and balances needed for handling State special funds and providing State services.

"In summary, the bill allows the regional boards to operate the local hospitals with some autonomy within the policies established by the HHSC system board. Construction of the specific provisions must be construed with this balance in mind. Problems in this hastily passed bill will need to be addressed in coming Sessions."

Representative Tokioka rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. After the fun that we had last night at our staff party or staff gathering, I put together four pages to address this, but I'm just going to summarize on a couple of things. Much has been said about the Maui delegation and the community hospital from Maui and everything to do with that. But I think this particular bill with its amendments addresses positive benefits for the entire system and very little to do with singularly the position that Maui is going to benefit from this, because I think all four regions will benefit from this.

"I know the Chairman of Health had some concerns that he mentioned here on the Floor about his involvement in this. And if anyone has sat on the Health Committee for the hours that we did, there was never a question on my mind on the Chairman of Health's integrity. He has shepherded this bill from the beginning, and spent many, many hours educating us, especially myself, as a freshman, on

what was happening with the healthcare system, and I thank him for that.

"In our Finance Committee meeting, the CEO from Hawaii Health Care Systems came and talked about procurement. This bill addresses that. I think the changes that this bill and the amendments that are added along with it, are going to be a positive thing for the system. And like many things that we do here and we pass, we don't know what the exact outcome is going to be, but I think with working with all of the communities and with all of the Board members, and the Board members that have worked there have done an excellent job. We need to continue to focus on supporting them and moving this forward. Thank you, Mr. Speaker. I will insert the rest of my comments, and I thank you all for your time."

Representative Tokioka's written remarks are as follows:

"Mr. Speaker, I am in strong support of this bill. SB 1792 CD2 has been widely debated this Session. This version of the bill, however, truly addresses the concerns raised by the opponents and represents a fair compromise that will bring the desperately needed changes to the Hawaii Healthcare System Corporation.

"First, there were concerns raised that the transition from the Corporate Board to the Regional Boards may be too rapid. However, this proposed change was originally suggested 13 years ago yet there has been no progress toward the goal of regional control.

"Mr. Speaker, the original 1994 Governor's Task Force that created HHSC stated:

(1) "The Hawaii Health Systems Corporation should administer the state facilities in a decentralized fashion with the facilities to be grouped into regions…"

(2) "Each region should have an operating board of directors with regional boards being initially appointed by the Governor with the advice and consent of the legislature…"

(3) "Finally, with respect to implementation, it is important to note that merely granting this proposed new corporation greater autonomy is insufficient - - new systems, trained personnel, training for existing personnel, and internal restructuring are also needed to ensure that we are not simply replacing one inappropriate bureaucracy with another."

"Mr. Speaker, 13 years later, we have not evolved into what the taskforce recommended. The concerns raised about the transition occurring too quickly are, in my mind, unwarranted. The time is NOW to incorporate the 1994 Governor's Task Force recommendations which are overdue and which this measure addresses. Moreover, Mr. Speaker, there may be members of the current Board who could be appointed to the Regional Boards to help ensure a seamless transition.

"A second concern that was raised about this bill dealt with preserving certain efficiencies of a Statewide healthcare system. While this bill empowers the regional boards, it continues to preserve the efficiencies that are embedded within HHSC. For example, centralized corporate services will be shared and used appropriately. In fact, the bill itself states, "The purpose of this Act is to advance the State's commitment to provide quality health care for the people of Hawaii by moving forward on the original task force recommendation of community-based governance and establishing regional system boards for all regions… The Hawaii health system corporation will continue to provide system wide functions and governance with enhanced representation of regional system board members." This bill will allow physicians and their communities to share clinical information between regions and facilities to analyze a system wide approach to the delivery of healthcare across regions without duplicating services.

"In addition, Mr. Speaker, this bill addresses one of the major concerns raised by the CEO of HHSC, that is the issue of procurement. The CEO asserts that procurement has been a hindrance to the ability of the board to act effectively. By enacting this bill into legislation, the Regional Boards will be able to contract for certain services without utilizing the procurement system thereby expediting the time to respond effectively.

"A final concern that was raised about this bill pertained to the Board composition and that Board members must understand the role of the corporate umbrella so that Regions should not compete with one another for limited funding. Mr. Speaker, membership of the board is critical and this measure addresses that very point. This bill will provide for the training of Board membership in the transition to the new structure in the areas of: (1) clinical aspects of healthcare; (2) healthcare financing; and (3) legal and compliance issues of healthcare.

"The opportunity is tremendous to create a new paradigm and have a fresh start where Board members, medical staff and hospital administration can receive education together to develop a common vision and mission, to evolve HHSC into an organization that can tackle the problems of healthcare in an innovated way. Through this transition, the newly reconstituted board could choose to undertake a new strategic plan prior to being bogged down by daily operations.

"And finally Mr. Speaker, and this time finally means finally. I'd like to thank all of the current Board members, the MAC members, all of the nurses, doctors and staff members at Hawaii Health Care Systems for all of their hard work in maintaining and advancing our public health care facilities for the last decade. Through thick and thin they were there for the people and they deserve our heartfelt appreciation."

The Chair then stated:

"Members of the House, for those who would like to insert comments, this is the proper time now for or against because three of our colleagues will be leaving by 2:15 and I wanted to give them the opportunity to cast their votes, if that is okay with the members of this Chamber."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I would like to submit comments to the Journal, Mr. Speaker, and in support, but with very grave reservations. And the comments are the position paper of HHSC East Hawaii, West Hawaii, Oahu, and Kauai regions. Thank you."

Representative Thielen's written remarks are as follows:

"I am in support, but with grave reservations.

"During the next week, S.B. 1792, C.D. 1 will be discussed extensively among the full House and Senate memberships. Subsequently, a final floor vote will be taken. Unfortunately, the C.D. 1 version passed Friday night with late-night changes, included new and previously not discussed provisions that were added at the last minute. This version creates an unbalanced system for the non-Maui regions with restricted system Board of Directors continuity. This morphed bill, as passed by the Senate-House Conference Committee, will fragment and potentially destroy the system that all of the regions have worked so hard to protect and preserve, thus, putting our Rural Hospitals and Long-Term Care services at Risk!

"The HHSC East Hawaii region (Hilo Medical Center, Hale Ho'ola Hamakua, and Ka'u Hospital), West Hawaii region (Kona Community Hospital and Kohala Hospital), Oahu region (Leahi Hospital and Maluhia), and Kauai region (West Kauai Medical Center and Samuel Mahelona Memorial Hospital) strongly believe that S.B. 1792 is a BAD bill and must not be passed.

"We believe that this bill is premature. More community input is needed to determine the real impact on our facilities, particularly those located in the rural areas of the Neighbor Islands. Healthcare for our communities is too important to jeopardize by a potentially premature bill.

"We believe that the practice of how we contract for services and goods should be the same across the system, to ensure that all of our facilities will be able to effectively respond to the needs of our patients and physicians.

"We believe more time is necessary to ensure effective oversight of both our region and the system – mainly the successful formation of the Regional Boards due to required, normal recruitment and nomination process. The complexity and responsibility of hospital business deserves a sound transition and an effective alliance among the Regional Boards, in addition to the System Board.

"We believe that our regions deserve a fair voice in the Corporation Board by having an equal amount of representatives regardless of whether we provide more acute or long-term care.

"We believe only in a fair and unbiased bill that provides maximum and equal benefits to all regions, not only Maui; our concerns are real. The recent Maui sponsored bill, which attempts to address a number of political concerns on Maui, should not be imposed on the other four regions.

"We believe in a balanced safety-net system that remains intact, in order to be able to continue responding effectively and efficiently to the healthcare needs of our island communities."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, very reluctantly I will have my remarks submitted in the Journal in opposition to this measure, but basically I fear the Balkanization, the fragmentation of this system. I represent an area with Leahi Hospital in it, and I just foresee problems with different regions lobbying us differently. I feel for the financial strength of the system and I feel that united they have a chance, divided they will fall."

Representative Marumoto's written remarks are as follows:

"Please allow me to express arguments against this measure.

"The good news about this bill is that it allows for greater local control – we call it homerule in this building. Good in theory. We will see greater autonomy in 5 different regions in the State.

"The trouble with this feature, autonomy, is that we stand to lose some of the benefits of central administration such as better fiscal control, increased ability to float bonds, better purchasing power, a coordinated procurement program, and a concerted lobbying effort.

"For instance, we are passing a measure allowing the HHSC to issue revenue bonds. I don't see how a regional district can "afford" such a bond if the entire system currently loses money and requires subsidies every year. Would a region have any more financial clout?

"In my district lies Leahi Hospital, a small long-term care hospital in the HHSC System. Also found on Oahu is Maluhia, another long-term care facility. These Oahu institutions will now be competing against four other regional facilities in the State for resources – operating money, capital improvements. Will Leahi, will Oahu, or will Kauai, or will Kona receive its fair share in the future?

"I suppose some of you can argue that allocations have not been fair in the past and that this bill would improve things, and that may be the case, but on the whole, I do not share this optimism for the future. I fear the fragmentation. The five regional districts will divide the health system, polarize and politicize health care in Hawaii.

"Another serious problem we have seen with this measure is an unprecedented number of charges and rumors of illegal activities, character assassination, and other unsavory charges worthy of a "sausage factory". I have never seen such a toxic atmosphere surrounding a bill. It is most unfortunate, Mr. Speaker, and if there any truth to these rumors, I ask that concerned individuals call for an investigation if they believe that wrongdoing truly exists.

"We are mandating a rapid change in the top administration and State board of HHSC. We are severing the head from the body with this bill. Is this legislative micromanagement? I would have favored a more gradual turnover. I do see a need for new management, because the relationship between the leadership and the Legislature is no longer productive and not good for the System.

"I do not believe there was any wrongdoing. I think that all parties have served to the best of their abilities, and I thank the HHSC leadership for doing their best. I thank them because we will not see them here in the Capitol in future sessions.

"Ironically, if there is new management, Mr. Speaker, I no longer see a need for splitting up the System. I may be wrong, I hope I'm wrong, but as I now see it – united the HHSC stands, divided it falls."

Representative Herkes rose to speak in support of the measure, stating:

"In support. I'll try to be brief. The Big Island group, as we're meeting with a group of physicians from Hilo for over a year. In support. For over a year and those physician groups have also been meeting with Maui physicians to make sure that everybody was moving in the same direction. I've also been in contact with people on the MAC in Kona. It's interesting to me that the physicians in Kona was so dissatisfied with the operation of Kona Hospital that collectively they forced the manager of that hospital out. That kind of thing happening with very little involvement, so they had to take things into their own hands. You take Dr. Lattimer in Kona, he's the only urologist there. He fills the newspapers up with negative comments about Kona Hospital. I had a doctor at Queen's tell me that he would never send a patient to Kona Hospital.

"And those of us that have lived through this over the last ten years know that we have to do something, and I think that we have worked very deliberately with the doctors in Kona and in Hilo, and as a matter of fact, a few weeks ago, a Big Island group always has breakfast on Thursday morning, we invited two members of the Maui Senate delegation, two members from the House, we had a long dialogue to make sure that we were on the same page. So I think we know exactly where we're going and I urge your support."

Representative McKelvey rose in support of the measure, asked that the remarks of Representatives Mizuno and Tokioka be entered in the Journal as his own, and the Chair "so ordered."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition and I do have some comments and I did want to share my perspective on this. Mr. Speaker, I was going to vote with reservations and I decided to keep my vote a no vote and the reason being is that this has been, out of the five Sessions that I've been here, this has been the only bill that I've actually had so many accusations and rumors floating around the Capitol on. It really ends up clouding what this bill's policy is. It almost seems as if we're moving forward on this bill, and instead of being a Legislative Branch, we've kind of been like the Judiciary Branch on this, and we're changing the system to reflect not being

happy with the leadership of HHSC and that could be true. They may have done stuff that have upset people, but I'm not necessarily sure that you take it out and you put it in a bill; that you address this in a bill in a way that you affect the entire State system, hospital system.

"I would also like to say that I think it's ironic that we would provide a procurement exemption for the Regional Boards in the regions, but not for the system as a whole, and that doesn't sit well with me. As leaders, Mr. Speaker, you and I, it's not easy leading. It's not easy running things. And people will get upset and there will be misinterpretations and misunderstandings, Mr. Speaker. I haven't had the privilege of being a part in the different types of meetings with doctors and all those kinds of things, but I do think that this is premature and for the sake of wanting to move forward and help with the healing, I'm glad that this bill is actually moving forward. And maybe they can deal with it. But I'm just really disappointed that while we are making the policy for the whole State hospital system, that there were so many rumors and accusations along the way."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition. I just simply am concerned about breaking it up into the regions. And my greatest concern is that Kahuku Hospital as the new kid on the block could be mortally wounded by this. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"One point rebuttal and solution. Mr. Driscoll was mentioned as being in support of this. The body should know that for four months he fought this tooth and nail and only within the last few hours has changed his mind. The solution I believe, there's rumor that there's going to be an override of vetoes, override of the veto session, why don't we let tempers cool, come back in a few weeks …"

The Chair then stated:

"Representative Ward, you are out of order at this point."

Representative Ward continued, stating:

"That was only a suggestion."

At this time, Representative Carroll called for the previous question.

The motion was put to vote by the Chair and carried, and S.B. No. 1792, SD 3, HD 3, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 40 ayes to 10 noes, with Representatives Belatti, Berg, Finnegan, Luke, Marumoto, Meyer, Morita, Takai, Takumi and Ward voting no, and with Representative Bertram being excused.

At 2:16 o'clock p.m., the Chair noted that S.B. No. 1792, SD 3, HD 3, CD 2 passed Final Reading.

S.B. No. 1931, SD 2, HD 3, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1931, SD 2, HD 3, CD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Green, Herkes and Tokioka being excused.

At 2:17 o'clock p.m., the Chair noted that S.B. No. 1931, SD 2, HD 3, CD 2, passed Final Reading.

H.B. No. 310, HD 2, SD 2, CD 2:

Representative Caldwell moved that H.B. No. 310, HD 2, SD 2, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker this bill establishes the Hawaii broadband taskforce that will work to remove barriers to broadband access, identify opportunities for increased broadband deployment and adoption, and enable the creation and deployment of new advanced communication technologies in the State. You and the Senate President will appoint the 15 member taskforce, which will receive support from the Office of the Auditor.

"The taskforce is required to issue 2 reports; an initial report 20 days prior to the convening of the 2008 Legislature, and a final report and plan 20 days prior to the convening of the 2009 Legislature. We are providing $50,000 to support and staff this important undertaking.

"While municipalities across the country such as Philadelphia, Boston, and San Francisco, have implemented municipal wireless systems, the State of Hawaii lacks the access to these types of low cost, high capacity digital transport services that have become increasingly available in other communities across the country that are concerned with the accessibility of advanced affordable services. In order for the State to remain competitive on a national and global scale the State needs to take action to support investment in, stimulate the adoption of, and remove barriers to the development and availability of a world-class and universally accessible broadband networks.

"Mr. Speaker, technology may oftentimes be the key to success in today's economy. For people who have access to the Internet, a world of information and opportunity is opened at the click of a mouse. However, the cost of broadband service often prohibits certain sections of our population from accessing such an important tool. It is hoped that the taskforce will come up with a solution to the cost barriers to broadband Internet access for all residents of the State. In this digital age good, high-speed access to the Internet should be available to all and not just to those who are able to afford such a luxury.

"As Hawaii gained national prominence by enactment of near universal healthcare through the Prepaid Health Care Act in 1978, so too, should Hawaii be the leader in providing Internet access to all its people regardless of income, social status, or community. Universal Internet access would make the information super-highway open to all and allow unlimited access to global information. It may also enable more people to access business opportunities from their homes, whether they be in Waialae, Wahiawa, Waianae, or Waimea.

"For these reasons, I ask for Members' wholehearted support."

At 2:17 o'clock p.m., Representative B. Oshiro requested a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:18 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.B. No. 310, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Green and Herkes being excused.

At 2:18 o'clock p.m., the Chair noted that H.B. No. 310, HD 2, SD 2, CD 2, passed Final Reading.

H.B. No. 1270, HD 2, SD 2, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1270, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," passed Final Reading by a vote of 48 ayes and, with Representatives Bertram, Green and Herkes being excused.

At 2:19 o'clock p.m., the Chair noted that H.B. 1270, HD 2, SD 2, CD 2, passed Final Reading.

S.B. No. 1803, SD 1, HD 1, CD 2:

Representative Caldwell moved that S.B. No. 1803, SD 1, HD 1, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Affordable health insurance is one of the State's most pressing concerns. Many of Hawaii's workers are subscribers of individual plans provided by Hawaii's insurers. Because individual plans and group health plans with one or few number of employees are not part of larger employee pools, health insurance premiums for individual plans are generally more expensive than large group health plans. The cost of health insurance, particularly for self-employed workers, single employee corporations or partnerships, and small business group health plans with few number of employees are of significant concern to Hawaii's business and general community.

"S.B. 1803, C.D. 2 is intended to permit insurers to offer a different plan to employer groups of one (sole proprietors, one person corporations and partnerships) compared to what they offer to employer groups of two or more, upon a determination by the Insurance Commissioner that the insurer can adequately deliver services to enrollees of additional groups given its obligations to existing employer groups. This is intended to provide the Division of Insurance the authority and duty to allow broader combinations of insurance benefits. This measure will also provide consumers with greater choices in their health insurance provider. Expanding the available insurance coverage options will increase competition to the consumers' benefit."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Approximately 10% of Hawaii's population are medically uninsured. A significant portion of the uninsured are workers not covered by Hawaii's Pre-paid Health Care Act, particularly self-employed workers. It is estimated that about 11,950 self-employed workers are uninsured.

"The Hawaii Uninsured Project also reports that approximately 13,300 part-time workers and 46,500 self-employed workers currently have health insurance. Many of these workers are subscribers of individual plans provided by Hawaii's insurers. Because individual plans and group health plans with one or few number of employees are not part of larger employee pools, health insurance premiums for individual plans are generally more expensive than large group health plans. Larger employee group health plans are able to more effectively spread the health risk amongst their employees to better manage the cost and administration of coverage. The cost of health insurance, particularly for self-employed workers, single employee corporations or partnerships, and small business group health plans with few number of employees are of significant concern to Hawaii's business and general community.

"One of the reasons for higher premiums of individual plans results from impediments to insurers more cost-effectively combining various health-related benefits under the same policy. Although at least one small insurer has combined benefits under a single policy for seventeen years, the Hawaii Insurance Commissioner has recently chosen to interpret Hawaii law as prohibiting combining different types of health and sickness insurance benefits within the same policy. The Insurance Commissioner's position will necessarily increase costs that will be passed onto consumers through increased premiums.

"It is the goal and intent of S.B. 1803 C.D. 2 to expand access to health insurance by allowing broader coverage for less cost. S.B. 1803 C.D. 2 targets coverage to self-employed workers and businesses with one or few employees. It is the Legislature's intent to encourage the existing practice by smaller accident and sickness insurers to "bundle" different classes of insurance, such as health, dental, and vision together, thereby continuing the historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances bundling provides broader health care coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

Representative Herkes rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Herkes' written remarks are as follows:

"Affordable health insurance is one of the State's most pressing concerns. According to the Hawaii Uninsured Project, about 120,000 Hawaii residents, ten percent of the State's population, is without health insurance.

Significant portions of Hawaii's medically uninsured are individuals who are part-time or self-employed workers. There are about 2,300 part-time workers and about 11,950 self-employed workers who are uninsured. Those classes of workers are part of the gap group that is not covered under Hawaii's Prepaid Health Care Act. The Prepaid Health Care Act requires employers to provide health insurance to full-time employees, and does not require coverage for self-employed workers.

"The Hawaii Uninsured Project also reports that approximately 13,300 part-time workers and 46,500 self-employed workers currently have health insurance. Many of these workers are subscribers of individual plans provided by Hawaii's insurers. Because individual plans and group health plans with one or few number of employees are not part of larger employee pools, health insurance premiums for individual plans are generally more expensive than large group health plans. Larger employee group health plans are able to more effectively spread the health risk amongst their employees to better manage the cost and administration of coverage. The cost of health insurance, particularly for self-employed workers, single employee corporations or partnerships, and small business group health plans with few number of employees are of significant concern to Hawaii's business and general community.

"One of the reasons for higher premiums of individual plans results from impediments to insurers more cost-effectively combining various health-related benefits under the same policy. Although at least one small insurer has combined benefits under a single policy for seventeen years, the Hawaii Insurance Commissioner has recently chosen to interpret Hawaii law as prohibiting combining different

types of health and sickness insurance benefits within the same policy, as a violation of anti-tying statutes described in Haw. Rev. Stat. Section 431:13-103(a)(4)(B). The Insurance Commissioner's position will necessarily increase costs that will be passed on to consumers through increased premiums.

"S.B. 1803 C.D. 2 is intended to provide the Division of Insurance the authority and duty to allow broader combinations of insurance benefits. This measure will also provide consumers with greater choices in their health insurance provider. Expanding the available insurance coverage options will increase competition to the consumer's benefit.

"It is the Legislature's intent to encourage the existing practice by smaller accident and sickness insurers to "bundle" different classes of insurance, such as health, dental, and vision together, thereby continuing the historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances, bundling provides broader healthcare coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

Representative Souki rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Souki's written remarks are as follows:

"It is the purpose and intent of S.B. 1803, C.D. 2 to expand access to health insurance by allowing broader coverage for less cost. S.B. 1803, C.D. 2 targets coverage to self-employed workers and businesses with one or few employees. S.B. 1803 provides greater flexibility for small insurers to provide comprehensive coverage to small businesses at a lesser cost.

"One of the reasons for this legislation is that in the past year the current Administration has chosen to interpret Hawaii law in a different way than it has ever been interpreted, to prohibit combining drug and medical coverage, or from combining medical, dental and drug, or any other combination of health related coverages into one insurance policy by small insurers. Numerous Hawaii laws already permit combining various types of health coverages under one policy, and this should be encouraged, not discouraged, to help provide the broadest health coverage possible for Hawaii's residents.

"This Administration has chosen to consider these combined benefits as a violation of State anti-tying laws, even though the U.S. Supreme Court has made clear that a company with less than 30% market share has no coercive power in the marketplace and cannot violate federal anti-tying laws. *Jefferson Parish Hospital v. Hyde*, U.S. 466 U.S. 2 (1984). Consistent with the federal standard, it is the Legislature's intent to encourage the existing practice by smaller accident and sickness insurers to "bundle" different classes of insurance, such as health, dental, and vision together, thereby continuing the historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances, bundling provides broader healthcare coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

The motion was put to vote by the Chair and carried, and S.B. No. 1803, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Final Reading by a vote of 45 ayes to 2 noes with Representatives Ching and Meyer voting no, and with Representatives Bertram, Evans, Finnegan and Green being excused.

At 2:20 o'clock p.m., the Chair noted that S.B. No. 1803, SD 1, HD 1, CD 2, passed Final Reading.

H.B. No. 964, HD 1, SD 2, CD 2:

Representative Caldwell moved that H.B. No. 964, HD 1, SD 2, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of House Bill 964. Mr. Speaker, House Bill 964 addresses one of the major health and safety challenges that Hawaii's construction industry faces is drug usage. There is more exposure to crystal meth and other drugs, and consequently, substance abuse has become a problem that is leaving the workforce impaired and resulting in higher worker's compensation claims and production quality issues. With the rise of drug use affecting the quality of employees, we are concerned about Hawaii's ability to meet the needs of a growing construction industry. Currently, the number of drug tests is increasing, but as our economy grows and employers rush to fill positions, it is important and necessary that all companies implement a drug-screening program.

"Mr. Speaker, this bill would simply enable the industry to utilize the very latest and most cost-effective advancement in the science and technology of onsite drug detection which is oral fluid screening. This method of drug testing is widely used on the mainland, and this testing method would greatly assist in our fight to rid substance abuse where it might exist within our industry.

"There is nothing we value more than safety on the job. Safety affects not just the physical wellbeing for all concerned but the time, cost and profitability for the construction industry and ultimately the consumers of the industry.

"Mr. Speaker, twenty years ago, the Hawaii Carpenters were the first trade union in Hawaii to institute a drug testing policy for its members. This could not have been done without the support and cooperation of unionized contractors. At the time, they were aware of the costs, both human and monetary however because of drug testing, the industry has taken steps in protecting innocent lives and have improved in the quality of their work.

"Unfortunately Mr. Speaker, in today's drugs, starting with crystal meth, crystal meth is more insidious than ever before. We know the effects of drug abuse across our communities in the crimes and accidents that endanger our innocent children, families and fellow workers.

"Therefore Mr. Speaker, passing House Bill 964 would be a tremendous leap forward in fighting substance abuse and related injuries in Hawaii's construction industry. Given the dangers inherent in our workplace, to which this legislation is intended to address. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 964, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Final Reading by a vote of 46 ayes to 1 no, with Representative McKelvey voting no, and with Representatives Bertram, Evans, Finnegan and Green being excused.

At 2:21 o'clock p.m., the Chair noted that H.B. No. 964, HD 1, SD 2, CD 2, passed Final Reading.

H.B. No. 928, HD 1, SD 2, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 928, HD 1, SD 2, CD

2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Evans, Finnegan and Green being excused.

At 2:21 o'clock p.m., the Chair noted that H.B. No. 928, HD 1, SD 2, CD 2, passed Final Reading.

H.B. No. 1004, HD 2, SD 1, CD 2:

Representative Caldwell moved that H.B. No. 1004, HD 2, SD 1, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"I am in favor of this legislation. The purpose is to help the Department of Commerce and Consumer Affairs in the areas of regulatory reform by restructuring their division and giving them the resources necessary to do their important jobs.

"This bill also covers the critical area of our State's future energy policy. It will be the purview of the Consumer Advocate's Office to keep up with current regulatory conditions, as well as researching and analyzing important energy data. Because of that major responsibility, the office needs the resources to enable them to do this job well.

This bill will allow the Office to cut through the bureaucratic obstacles and get to the core of the issues at hand. It will also allow the Office to re-structure so that qualified individuals are recruited and retained to fulfill the sometimes arduous requirements of their jobs. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1004, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER ADVOCACY," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Evans, Finnegan and Green being excused.

At 2:23 o'clock p.m., the Chair noted that H.B. No. 1004, HD 2, SD 1, CD 2, passed Final Reading.

S.B. No. 148, SD 2, HD 1, CD 2:

Representative Caldwell moved that S.B. No. 148, SD 2, HD 1, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I'm in support, but have some reservations just really briefly. Instead of a tax refund in the mail, we've decided to meet a congressional requirement with an income tax credit. I just personally feel that while I'm relieved that we are helping those that make $30,000 or less, I wish we would have also recognized that the middle class are also struggling and also recognize that this is kind of like a cruel tax credit, because people have to wait a year, until they do their taxes again to get it."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations also. I'm concerned that about 40% of the taxpayers in the State are getting nothing back where they made a very large contribution in taxes and I think the Constitution really meant for them to get something. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I have some comments which I would like to have inserted in the Journal. They are in favor and it has to do whether the tax credit should go to all taxpayers."

Representative Marumoto's written remarks are as follows:

"I am voting with reservations on the Constitutional Refund/Tax Credit, S.B. 148, S.D. 2, H.D. 1, C.D. 1. Mr. Speaker, I am in support of this measure to meet the constitutional obligation to provide tax relief, but I have some constitutional concerns.

"The Hawaii Constitution requires the Legislature to provide a tax credit or tax refund whenever the State general fund balance at the close of each of two successive fiscal year exceeds 5% of the general fund revenues for each of two fiscal year. These conditions have been met, and this bill is an attempt to grant that tax relief.

"However, this bill does not provide a refund or credit to all taxpayers. Those who make over a certain amount of money will be excluded from this constitutional mandated tax relief.

"For instance, taxpayers who file jointly and make over $60,000 will not get tax relief or those who file singly and/or who are married but file separately and make over $30,000 will not get relief. The Constitution mandates that we give tax relief to the people of Hawaii and now we are excluding certain individuals because they make a certain amount of money. Ironically, it is these individuals who pay most of the taxes that result in the surplus that we now enjoy. Although the federal courts generally give wide latitude to states in setting up their system of taxation, the fact that Hawaii will now give a rebate to some taxpayer, but not all taxpayers, may open the state to liability under the U.S. Constitution's Equal Protection Clause.

"Even if the federal courts do not construe the Equal Protection Clause of the U.S. Constitution as requiring a rebate for all taxpayer, the State Courts, in construing both the rebate requirement of the State Constitution and the Equal Protection clause of the State Constitution, may construe these provisions more strictly. Therefore even if the State is not liable under the federal constitutional analysis, the State may be held liable under the State Constitution if it fails to provide the same refund, particularly to similarly situated taxpayers. The State courts are more likely to base their rulings on an interpretation of the State Constitution because the federal courts will not review State courts' analyses of the State Constitution.

"Although the 1978 Constitutional Convention left it up to the Legislature to determine the refund "according to law", as a former member of the '78 Con Con and as a member of the Taxation and Finance Committee, my understanding of that provision was that the Convention should leave only the amount of the refund up to the Legislature to be determined according to State finances and the condition of the economy at the time. I do not believe that the Convention ever considered a graduated scale for the refund, and the single amount granted to each and every taxpayers seventeen times since adoption of this constitutional provision lends credence to my argument.

"While I cannot oppose this effort to grant tax relief to the hardworking people of Hawaii, I contend that every taxpayer is entitled to relief under this provision. Mahalo nui loa."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. This bill is too little, too late. It's better than nothing. But I think the *Star-Bulletin* editorial summarized it very well two days ago when the headline read: Tax Legislation Would Not End Hawaii's Misery Policies. I'll just share a couple of quotes: State budget surplus provided an opportunity to give taxpayers the special relief that they needed. Hawaii's tax policy

is the meanest toward the working poor. The legislators again thumbed their nose, thumbed their noses, we have more than one nose obviously, at a proposal for the earned income tax credit. Governor Linda Lingle had proposed, and this is my segue into my spiel, Mr. Speaker, that the Governor had proposed more than $300 million that would affect all taxpayers. And thank God for the founding fathers who put this mandated rebate after two consecutive surpluses because without them, skinflint legislators would never give the money back unless the forefathers had the wisdom to mandate it. So I'm thankful to them.

"It was already mentioned why this was too late. I just mentioned that the rebate that comes through the tax system is not the check in the mail, which the Governor had proposed. This one is going to take until the next year starts and then the tax from the next year, which means for those who are expecting that when we beat our chest and say we gave you money back, they have to wait until 2009 before they get it.

"Mr. Speaker, I hope in the next Session we can focus more on delivering the structural flaw, not just saying, I feel your pain, but changing it. This body has the power and the votes, Mr. Speaker. And I speak as a loyal Minority. The loyal opposition. Change the system. Break down this wall between the poor and the tax structure. Mr. Speaker, you can do it. We can do it. It's just a matter of the political will. So this one falls short. It gives a little bit, but it leaves a lot to be desired. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I just wanted to counter some of the, I think, misstatements that the Constitution requires that the tax credit or tax refund go to all taxpayers. This section of the Constitution specifically says the Legislature in the next regular Session shall provide for a tax refund or a tax credit to the taxpayers of the State of Hawaii as provided by law. So because it says as provided by law and does not say that it goes through all or every taxpayer, it's very clear from the language of the Constitution that it is up to the Legislature how they want to do it. And if we in our best judgment and most prudent exercise of our discretion find that this is the best way to do it, then that is constitutional. Thank you very much."

Representative Manahan rose to speak in support of the measure, stating:

Mr. Speaker, I rise in support. Mr. Speaker, this measure is the perfect example of the ability of the Legislature to expend funds in a fiscally responsible manner. The fact that this credit has been given in consecutive years is even more amazing. It has been both an honor and a pleasure to learn from Chair of the Finance Committee how to accomplish its feat. More importantly, Mr. Speaker, this measure represents more than just extra money for hard working families and neighbors. It is the fruit of a responsible and balanced budget. Mr. Speaker, I'd just like to insert my additional written comments," and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"Mr. Speaker, this measure is a perfect example of the ability of the Legislature to expend funds in a fiscally responsible manner. The fact that this credit has been given in consecutive years is even more amazing. It has been both an honor and a pleasure to learn from the Chair of the Finance Committee how to accomplish this feat. More importantly, Mr. Speaker, this measure represents more than just extra money for our hardworking families and neighbors; it is the fruit of a responsible, balanced, and parsimonious budget.

"We have provided for our future, we have done our duty to maintain and improve our infrastructure, and we are fortunate enough in these lean times to be able to provide something for our constituents. This budget instills confidence in the government, and provides me with the feeling that we can genuinely pass out good legislation, and that our Members will diligently be able to financially represent the will of the people."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. As we talked about the prior bill regarding the food tax credit, this bill also focuses on the middle income, as well as the low-income families. We wanted to focus on the average working family of Hawaii, whether it be the person working at the hotel, working two jobs maybe, or the person working at Longs Drugs. This bill will provide tax relief for those working families of Hawaii.

"And in rebuttal to the issue of time, the Administration's bill was to give the tax credit before or after December '07, at the end of this year. If I'm not mistaken, you still get to start filing your taxes at the beginning of the year, hence, based on the receiving a check versus when they can claim the credit, in reality, it wouldn't have been a year; probably. Just a month or two at the most. Thank you."

Representative Marumoto rose to respond, stating:

"Thank you, Mr. Speaker. Again, in support of this measure. Mr. Speaker, I do believe in progressive taxation, taxing richer people more and poorer people less. But a legal beagle, a very smart one, pointed out that this particular provision may be in contravention with the equal protection clause of our State Constitution. So I just wanted to point out that possible problem. And we have given a tax refund or tax credit to the people of the State for the past 17 years, to each taxpayer, so, I just wanted to know, since we are departing from this practice, whether it is all on the up and up. Thank you very much."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. Just a couple of points. The first one is to touch upon the point made by the Majority Floor Leader. This is a break from tradition, a break from the orthodoxy of the past, whereby we might have passed our measure simply to address the constitutional provision as it is written and provide $1 to every taxpayer. We took a different approach, as the Vice Chair of Water, Land and Hawaiian Affairs mentioned. We took it to focus upon the middle- and low-income families of the state. I believe it is constitutionally correct and will sustain the constitutional scrutiny.

"The second point, Mr. Speaker, is that this measure here is in addition to what we did last year. Let's not forget that we did increase the standard deduction to 40% of the federal deduction. We also expanded the tax brackets for the personal income taxpayer by 20%, Mr. Speaker. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, just brief comments in support regarding the constitutional issue. The Majority Floor Leader did read from the Constitution and makes it clear that it is open and flexible. If you look at the legislative history, Mr. Speaker, for this measure when it was passed in 1978, you have delegates who repeat, repeat that they wanted to leave flexibility so that the Legislatures in the future with no end in sight, can come back and decide how to deal with the surplus after two years. And I'd like to insert for the record some of the legislative history to the record, if that's okay with you, Mr. Speaker.

"And there is no suspect class, Mr. Speaker, in this case as was somehow implied. Thank you very much."

Representative Caldwell's written remarks are as follows:

"Mr. Speaker, may I submit the following relevant direct quotes from the September 6, 1978 floor discussion of the 1978 Constitutional Convention:

Delegate Nozaki: Mr. Chairman, I rise to speak in favor of the amendment. I speak in favor of this amendment which comes down on the side of the hard-pressed taxpayers of our State. The intent of the amendment is clear-cut and simple; it says, in effect, whenever government collects too much from the taxpayers, at least a portion of the excess collection would be returned to the taxpayers….

Delegate Burgess: I would also like to speak in favor of the amendment. It compels the legislature to take some action in the event that our spending limitations succeed the way we hope they will, and we do indeed end up with a surplus. It does require the legislature to provide for a tax refund or a tax credit, but it's not so inflexible and rigid as to specify the amount of that tax refund or tax credit. It leaves a wide range of flexibility to the State to make whatever disposition of that surplus is most appropriate in view of the circumstances as they may exist at the time. It, I think, properly does what a constitutional provision should do—that is, to direct but not to be so rigid that it takes away flexibility. So I would support it."

Representative Lee rose in support of the measure, asked that the remarks of Representative B. Oshiro be entered in the Journal as her own, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"I rise in support of the measure, which creates a modest $50 million tax relief package giving a one time rebate and a permanent food credit to lower and middle income residents.

"The constitutionally mandated rebate will apply to about 60% of our residents and be given on a graduated basis. Legislators have heard from constituents and from polls such as the "People's Pulse", that instead of a rebate, many would prefer to see us invest in our education system, both higher and lower, and in our health care system. That is exactly what we did."

Representative Ward rose, stating:

"Mr. Speaker, just to equivocate with equivocation …"

The Chair then stated:

"Mr. Ward, would you like to insert written comments into the Journal?"

Representative Ward: "I was going to insert verbal comments."

Speaker Say: "No, no verbal comments. This is your third time and you're out of order."

Representative Ward: "So no speaking?"

Speaker Say: "No speaking. Just inserts."

Representative Ward: "I believe I only spoke once, actually."

Speaker Say: "I believe twice. Madame Clerk, can you recall? See, I'm already thinking that you did twice. That's only once. So I stand corrected."

Representative Ward: "Mr. Speaker, which is my point. Perception is reality. The perception of the law is, all. The perception is all taxpayers will get a rebate. What I've heard in the equivocation that is, well it depends on what 'is' is, and I think that's probably technically able to be squirmed out of. But when the Constitution, the forefathers, the framers of that said taxpayer will get a rebate, I don't think that they meant some and select. And like Representative Marumoto said, I think it's very well taken that we have progressive tax.

"But on this one, I'm still dumbfounded how we can identify as a body with the poor, but still say that just like Alabama, we'll just tax you to death. Mr. Speaker, I'm dumbfounded by that. We are the forty-ninth hardest taxing on our poorest people. I think we got to get out of that bottom forty-nine, Mr. Speaker. And, again, I appeal to you and the Majority, let's get out of this taxing the poor. We speak to them, we have compassion towards them, but let's get the structure of the tax system for them, rather than against them. Just saying I feel your pain and doing nothing about it doesn't make any sense, Mr. Speaker. Thank you for the ability to speak two times."

The motion was put to vote by the Chair and carried, and S.B. No. 148, SD 2, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Evans, Finnegan and Green being excused.

At 2:35 o'clock p.m., the Chair noted that S.B. No. 148, SD 2, HD 1, CD 2, passed Final Reading.

CONFERENCE COMMITTEE REPORTS

Conf. Com. Rep. No. 205 and S.C.R. No. 48, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.C.R. No. 48, SD 1, HD 2, CD 1, be adopted, seconded by Representative B. Oshiro.

At 2:36 o'clock p.m., Representative Magaoay requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:37 o'clock p.m.

Representative McKelvey rose to speak in opposition to the measure, stating:

"Mr. Speaker, please record a no vote for me on this measure. I just don't think that this body should be carrying out the interest of certain people just trying to do their job. Thank you."

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to record a no vote, as well. The subjects that we address in the S.C.R. are probably more properly determined in a court of law where the two interested parties are already fighting it out, so, I think we probably best leave it alone. Mahalo."

Representative Brower rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also rise in opposition. I think that this measure is a legislative abuse of our power. It started off inquiring, asking for an Auditor's report, then it moved to Hawaii Disability Rights Center Report, back to the Auditors, and now it's placing responsibility on the Attorney General to look into the Hawaii Disability Rights Center. I don't think that we should be using our power in this matter. Thank you, Mr. Speaker."

Representative Souki moved that Conf. Com. Rep. No. 205 and S.C.R. 48, SD 1, HD 2, CD 1, be laid on the table, seconded by Representative Takai.

At 2:39 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:01 o'clock p.m.

At this time the Chair called for a roll call vote and the motion that Conf. Com. Rep. No. 205 and S.C.R. No. 48, SD 1, HD 2, CD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO PROVIDE AN ANALYSIS OF THE NATURE AND SCOPE OF OPERATIONS AND SERVICES THE HAWAII DISABILITY RIGHTS CENTER IS REQUIRED TO PROVIDE, AND THE PRACTICES AND PROCEDURES IT IS AUTHORIZED TO EMPLOY, PURSUANT TO STATE AND FEDERAL LAW, RULES, REGULATIONS, AND EXECUTIVE ORDERS," be laid on the table, was put to vote by the Chair and carried on the following show of Ayes and Noes:

Ayes, 24: Belatti, Berg, Brower, Carroll, Chang, Ching, Hanohano, Herkes, Luke, McKelvey, Meyer, Morita, Nishimoto, B. Oshiro, Pine, Rhoads, Shimabukuro, Souki, Takai, Takamine, Takumi, Thielen, Wakai, and Yamane.

Noes, 20: Awana, Caldwell, Chong, Har, Ito, Karamatsu, Lee, Magaoay, Manahan, Marumoto, Mizuno, M. Oshiro, Sagum, Say, Sonson, Tokioka, Tsuji, Ward, Waters and Yamashita

Excused, 7: Bertram, Cabanilla, Evans, Finnegan, Green, Nakasone and Saiki.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Cabanilla, Evans, Finnegan, Green, Nakasone and Saiki were excused.)

HB No. 211, HD 1, SD 1
HB No. 249, HD 1, SD 2
HB No. 260, SD 2
HB No. 277, HD 1, SD 2
HB No. 497, HD 2, SD 2
HB No. 507, HD 2, SD 1
HB No. 870, HD 1, SD 1
HB No. 1155, HD 1, SD 1
HB No. 1253, HD 1, SD 1
HB No. 1256, HD 1, SD 1
HB No. 1291, HD 1, SD 2
HB No. 1334, HD 1, SD 1
HB No. 1338, HD 2, SD 1
HB No. 1399, SD 1
HB No. 1493, HD 2, SD 1
HB No. 1570, SD 1
HB No. 1721, HD 1, SD 2
HB No. 1902, SD 1
HB No. 1931, SD 1

At 3:09 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:10 o'clock p.m.

H.B. No. 211, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 211, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Green, Mizuno and Ward). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 211, H.D. 1 and H.B. No. 211, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 249, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 249, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Ito, Yamane, Chong and Thielen). Noes, none. Excused, none.

Representative Caldwell moved that H.B. No. 249, HD 1, SD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this measure. This is the hunting tourism, not hunting tourists bill. And my concern is that Hawaii should be known as a place where people love to come to enjoy the beauty and the environment of our islands and its people. I don't like to see us being known as a destination spot for people that want to shoot animals. Thank you."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I also rise in opposition. The fact that visitors don't need to have education regarding hunting or regarding anything having to do with Hawaii's history or having any responsibility to Hawaii is onerous to me. I rise in opposition. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 249, H.D. 1 and H.B. No. 249, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING TOURISM," passed Final Reading by a vote of 42 ayes to 3 noes, with Representatives Berg, Brower and Thielen voting no, and with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 260, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 260, on the following showing of Ayes and Noes:

Ayes, 3 (Ito, Chong and Thielen). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 260 and H.B. No. 260, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS OF RESOURCE VALUE LANDS," passed Final

Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 277, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 277, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Souki, Lee and Meyer). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 277, H.D. 1 and H.B. No. 277, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 497, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 497, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Souki, Lee and Meyer). Noes, none. Excused, none.

Representative Caldwell moved that H.B. No. 497, HD 2, SD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, bicycles are not only for recreation and exercise, but have become for many the mode of transportation to and from work. With the growing number of vehicles on our roads and the increase in the obesity of our citizens, we should encourage the use of healthy alternatives.

"This bill, Mr. Speaker, earmarks 2% eligible federally funds, and in addition, other State Highway Fund moneys for bicycle paths, installation of signage and safety devices along bicycle lanes and bicycle routes and directs the Department of Transportation to have a public involvement process. Again, this is 2% of the federally eligible moneys, not 2% of all federal moneys.

"This is a good bill and I encourage my colleagues to vote in support of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 497, H.D. 2 and H.B. No. 497, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 507, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 507, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Ito, Chong and Thielen). Noes, none. Excused, 1 (Magaoay).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 507, H.D. 2 and H.B. No. 507, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Final Reading by a vote of 42 ayes to 3 noes, with Representatives Ching, Meyer and Pine voting no, and with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 870, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 870, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Morita, Carroll and Thielen). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 870, H.D. 1 and H.B. No. 870, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON THE ISLAND OF OAHU," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1155, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1155, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Tsuji, Waters and Ching). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1155, H.D. 1 and H.B. No. 1155, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1253, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1253, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Waters, B. Oshiro and Pine). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1253, H.D. 1 and H.B. No. 1253, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1256, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1256, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Waters, Belatti and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1256, H.D. 1 and H.B. No. 1256, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERFECTION OF APPEALS TO THE TAX APPEAL COURT," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1291, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1291, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Sonson, Nakasone and Meyer). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1291, H.D. 1 and H.B. No. 1291, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1334, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1334, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, Lee and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1334, H.D. 1 and H.B. No. 1334, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING FEES," passed Final Reading by a vote of 44 ayes to 1 no, with Representative Brower voting no, and Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1338, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1338, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, Tokioka and Awana). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1338, H.D. 2 and H.B. No. 1338, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DIVISION OF CONSUMER ADVOCACY," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1399, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1399, on the following showing of Ayes and Noes:

Ayes, 3 (Evans, Sonson and Har). Noes, none. Excused, 1 (Finnegan).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1399 and H.B. No. 1399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1493, H.D. 2, S.D. 1:

Representative Caldwell moved that H.B. No. 1493, HD 2, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Mr. Speaker, in 1967, the Hawaii State Legislature established the Crime Victim Compensation Commission to mitigate the physical, emotional and financial impact suffered by victims of violent crime. This crucially important organization needs specialized entrepreneurial staff to adequately serve Hawaii's violent crime victims. To help get this staff, and encourage applicants this measure before us will exempt all new employees from the provisions found in our civil service law of Chapter 76. It does allow for new employees collective bargaining rights found under Chapter 89.

"This bill does not exempt current employees from the civil service law, only new ones to maintain staffing levels. I urge my colleagues to support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1493, H.D. 2 and H.B. No. 1493, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIME VICTIM COMPENSATION COMMISSION," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1570, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1570, on the following showing of Ayes and Noes:

Ayes, 3 (Sonson, M. Oshiro and Meyer). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1570 and H.B. No.

1570, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1721, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1721, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Green, Waters and Mizuno). Noes, none. Excused, 1 (Pine).

Representative Caldwell moved that H.B. No. 1721, HD 1, SD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. And for the two in the gallery, congratulations."

The Chair then stated:

"Representative Ward, aren't you being a little presumptuous? The Fifth Floor may veto it."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, we depend on our EMS personnel for emergency services statewide, and they often save lives in the field.

"On occasion, EMS staff are physically threatened by violence or terroristic threatening, resulting in injury to personnel themselves or in disruption of their ability to carry out their work. This bill adds violence, or threat of violence, against EMS personnel to the offenses of assault in the second degree and terroristic threatening in the first degree. The bill will ensure that the work of the EMS can be carried out in a timely and effective manner—protecting both patients and those who serve them."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1721, H.D. 1 and H.B. No. 1721, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST EMERGENCY MEDICAL SERVICES PERSONNEL," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1902, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1902, on the following showing of Ayes and Noes:

Ayes, 4 (Yamashita, Morita, Lee and Meyer). Noes, none. Excused, none.

Representative Caldwell moved that H.B. No. 1902, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm voting against this bill and I would like to explain why. The bill is for special purpose revenue bonds to assist public utilities, including Hawaiian Electric, and with the dollar figure in the bond, it appears that it couldn't be for anything other than a new power plant. I don't support Hawaiian Electric having another power plant. I think they should be using renewable resources to power our islands. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker, I speak very strongly in favor of this measure. The Constitutional Convention provided for this special revenue bonds just specifically for electric companies so they can stabilize the rates and, hopefully, keep the rates down, and have a lower rate of interest. As far as building a power plant, possibly we should limit the new energy from power plant to not include Kailua. Thank you very much."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. In rebuttal to that. Mr. Speaker, when the Hawaiian Electric continues to use fossil fuel and when our law permits them to pass through the cost, the increase cost to fossil fuel, which is constantly going up, to pass that through to the consumer, to make the consumer pay it, Hawaiian Electric is not bringing our rates down. When Hawaiian Electric taps our natural resources which are readily available for a clean, reliable source of energy, then the rates will come down. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1902 and H.B. No. 1902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Final Reading by a vote of 44 ayes to 1 no, with Representative Thielen voting no, and Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.B. No. 1931, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1931, on the following showing of Ayes and Noes:

Ayes, 2 (Yamashita and Hanohano). Noes, none. Excused, 1 (Ching).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1931 and H.B. No. 1931, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," passed Final Reading by a vote of 45 ayes, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

At 3:24 o'clock p.m., the Chair noted that the following bills passed Final Reading:

HB No. 211, HD 1, SD 1
HB No. 249, HD 1, SD 2
HB No. 260, SD 2
HB No. 277, HD 1, SD 2
HB No. 497, HD 2, SD 2
HB No. 507, HD 2, SD 1
HB No. 870, HD 1, SD 1
HB No. 1155, HD 1, SD 1
HB No. 1253, HD 1, SD 1

HB No. 1256, HD 1, SD 1
HB No. 1291, HD 1, SD 2
HB No. 1334, HD 1, SD 1
HB No. 1338, HD 2, SD 1
HB No. 1399, SD 1
HB No. 1493, HD 2, SD 1
HB No. 1570, SD 1
HB No. 1721, HD 1, SD 2
HB No. 1902, SD 1
HB No. 1931, SD 1

SUPPLEMENTAL CALENDAR #1

At this time, the Chair announced:

"Members of the House, we have a supplemental calendar to extend our session. Do all of you have your Supplemental Calendar #1?

"Members of the House, please note that House Resolution No. 126 was re-referred solely to the Committee on Higher Education per Committee Referral Sheet No. 60 that was placed on your desk today. The Committee on Energy & Environmental Protection waived its referral to this measure and therefore for the Members of this House, it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 126, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone were excused.).

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1644 in referring H.R. No. 126 to the Committee on Energy & Environmental Protection, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone were excused.).

ADOPTIONS

Representative Caldwell then moved that H.R. No. 126 be adopted, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'd like to speak in favor of the Resolution, and in doing so, I would like to thank the Chairman of the Energy, Environmental Protection Committee, Vice Chair from Kauai and from Maui for waiving this and to the leadership of the Higher Education Committee in the House for passing this on at the first Committee referral.

"I'm really happy to see the Resolution pass, not so much for myself, but for the students who had banded together with some faculty members to establish a sustainable Saunders committee. They had wanted to make this classroom-office building seven stories high into a model of energy efficiency and sustainability. They had requested funds in the budget, which didn't make it in there, but they were hoping to have a $1.7 million appropriated for a photovoltaic roof, retrofitting of restrooms, change and improvements in lighting, and perhaps next year they will get their case heard.

"But they established a committee called HUB, Help Us Bridge, and students were very enthusiastic about trying to change the mindset on sustainability and lifestyles. So they really went into a recycle and reuse mode. They started using the stairs, they started saving energy, they tried recycling paper and everything that they used. They were very enthusiastic and were hoping to come down here to testify in the Energy Committee, but at least this will have passed and I'm sure they'll be very happy to hear the news. Mahalo nui loa, and please vote for this Resolution. Thank you."

At 3:29 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:31 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.R. No. 126, entitled: "HOUSE RESOLUTION REQUESTING ACKNOWLEDGEMENT AND SUPPORT FOR THE "SUSTAINABLE SAUNDERS" PROJECT AT THE UNIVERSITY OF HAWAII – MANOA THAT SEEKS TO DEVELOP SAUNDERS HALL AS A MODEL FOR ENERGY EFFICIENCY AND SUSTAINABILITY," was adopted, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

SENATE COMMUNICATION

The Chair recognized the Clerk, who announced:

"We have received Senate Resolution 153, informing the House and the Governor that the Senate is ready to adjourn Sine Die."

INTRODUCTION OF RESOLUTION

The following resolutions (H.R. Nos. 298 through 299) were announced by the Clerk and the following action taken:

H.R. No. 298, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO PERFORM AND CARRY OUT ANY OFFICIAL LEGISLATIVE BUSINESS DURING THE INTERIM BETWEEN THE 2007 AND 2008 REGULAR SESSIONS," was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Thielen and carried, H.R. No. 298 was adopted, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

H.R. No. 299, entitled: "HOUSE RESOLUTION INFORMING THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE," was jointly offered by Representatives Say and Karamatsu.

On motion by Representative Caldwell, seconded by Representative Thielen and carried, H.R. No. 299 was adopted, with Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone being excused.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, I rise as a freshman to thank the Majority, the Minority, and on behalf of all 13 of us, and I didn't ask them if I could speak for them, but it's been a great reorientation, here on the Floor, where democracy, I think more than ever, has really shown. So, thank you very much, and for those who thought maybe I spoke too much too often or disagreed, my apologies, my

forgiveness, and we will see again and meet again on this place, the market place of ideas next Session. Thank you, Mr. Speaker."

Representative Pine: "Yes, Mr. Speaker. Thank you for allowing me to speak on behalf of the Republican Caucus. I first want to thank Boyd Akase and Malia Gray and the rest of the Minority Research staff and all of our staffs of the Republican Caucus and I ask that their names be entered in thanks into the Journal.

"Mr. Speaker, Groucho Marx once said, 'Only one in a thousand men is a leader of men. The other nine hundred and ninety-nine all are women.' So the women of the Republican Caucus want to thank our one man that has allowed us to lead with grace and he has been such a joy to all of us. And his knowledge, from before my time, has helped us to make great decisions.

"Throughout the Session, Mr. Speaker, we have been divided on many issues. We've had press conferences back and forth, separate press conferences, but something really special happened this Session. We started and ended with press conferences together, Republicans and Democrats. We started this Session trying to save the Legislature with ethics reform. Unfortunately, we did fall a little short. But there's always next year. Sadly, we rejected, well, the other house, rejected the Lingle nominations, but she'll come back again next year, and, hopefully, those nominations will go through.

"So we've had our ups and downs, and maybe one of our low points this Session was in trying to divide our State hospitals, we almost divided ourselves. We almost divided ourselves by passing rumors instead of good public policy. And most outstandingly and in the end, the person that was hurt the most showed the most grace.

"So at the end of the Legislature, instead of saving the Legislature from itself, or we can do it next year, we decided to end together by trying to save the world through global warming.

"And so what have we learned this Session? We learned that while we are very different, we can, and we should work together. And, most importantly, we should not pass legislation trying to hurt someone else. When leading, we should always drown the voices of false rumors and allow good public policy to prevail. So thank you, Mr. Speaker, for leading us with such honor and I thank the Majority for respecting us in the end in trying to save the world."

Representative Pine submitted the following names of the House Minority Research permanent staff which are in addition to the Session staff subsequently listed:

Candace Kelsey, Shannon Hough, James Delavan, and Danielle Douglass.

Representative Souki: "Yes, Mr. Speaker. Mr. Speaker, as a former Speaker, I wish to congratulate you on running a well-run, and disciplined house; open. But, more so, with the personal tragedies that you had, and in spite of all that, you let it go beyond and still looked out for the welfare of the House and not your own personal welfare and feelings. And for that, Mr. Speaker, a job well done."

Representative Caldwell: "Mr. Speaker, on those notes, it is somewhat bittersweet to end the Session because you've all worked so hard together. First, it's difficult to say goodbye to an excellent Session staff. And in that regard, I'd like to enter the names of all our Session staff in the House Journal for posterity, to let the people of this State know the names of those who committed and worked so hard to make a difference for everyone in our State.

"Second, Mr. Speaker, I think we've all discovered and reaffirmed that public service is a noble undertaking and we can be very proud of what we did, both our Majority and our Minority Caucuses. And we remain committed to the theme that we started out with of making Hawaii more affordable for all our residents. We sent the Governor a budget that is fiscally responsible and focuses on the area of housing, healthcare, and education. Many hundreds of millions of dollars in those areas.

"And we provided a meaningful tax relief, Mr. Speaker, for those who are hanging on by their fingernails, the lower sixty percent. We gave the people a tax credit, a food tax credit of $31 million; an excise tax forgiveness on gas of somewhere between $32 million and $48 million; and rebate of $25 million. Compounded with the relief we provided last year that has carried over to this year, there is about $150 million of relief to various sectors of our community.

"And we did it, Mr. Speaker, not with a 'pie in the sky', give the money away, the Hail Mary pass with a hope and a prayer. We worked very hard, Mr. Speaker, through the Finance Committee and Ways and Means to make sure that in a slowing economy in the out years, we don't have to cut and take back what we're funding this year.

"And here are some of the other highlights, Mr. Speaker. We provided meaningful pedestrian safety measures to protect our *kupuna* and many others on the streets. We provided meaningful rate regulation for health insurance through the guidance and hard work of the Chair of Health. We funded Kukui Gardens to make sure that those units remain affordable. We addressed the issue of medical reimbursements through the DSH, or disproportionate share of hospital allowances.

"We worked hard to make sure another Kaloko Dam breach does not occur again through our dam safety bill. We passed greenhouse gas legislation, Mr. Speaker. We dealt with the issue of copper theft through the leadership of the Chair of Judiciary. We passed true petroleum monitoring transparency by funding with $1.2 million so that when that excise tax forgiveness is provided on gas, we can see whether it's really passed on to the consumer.

"We addressed the issue of innovation that the Governor took on, and through her focusing a bright light on the issue, we were able to even move more innovation legislation through than previously through the guidance of the Economic Development Committee Chair. We funded the West Oahu Campus, Mr. Speaker, after many years of debating this. We funded Kahuku Hospital. These are just some of the highlights, Mr. Speaker, we can all be proud of.

"In closing, Mr. Speaker, our Caucus is a large caucus, 43 strong, with a broad range of ages, from our Vice Speaker who is the youngest, to our Speaker Emeritus who acts likes he's the youngest. We're diverse ethnically, and we approach solving problems from many different angles that reflect the communities that we come from. And we don't always agree, and we can be fractious, Mr. Speaker, both within our caucuses and in public. But, you know, Mr. Speaker, that's very much like our own Party and it only makes us stronger in the end.

"Finally, Mr. Speaker, we had 11 freshmen in our Caucus and two on the Minority side, and those freshmen are rapidly becoming mature legislators, except for the Representative from Hawaii Kai, who is somewhat mature already from previous experience. But what is really incredible, Mr. Speaker, is we had seven Chairs of Committees with just two years of experience, who stepped up to the plate and to the challenge that you gave them, and served admirably to the people of the State of Hawaii. And they did so by bringing a fresh approach to the issues facing their Committees. We also had five chairs who were serving as Chairs of Committees that they never served before as Chairs on.

"In closing, Mr. Speaker, I want to thank you on behalf of all of us, both Majority and Minority Members for the guidance, support and leadership that you provided, sometimes through very trying times. And you did it always with grace, with compassion, with love for this body, for this House and for this Chamber.

"Mr. Speaker, on Opening Day, you said and I quote, 'Don't be afraid to think big, to think beyond the immediate. Don't' be afraid to

take risks. Your constituents hope you will.' Mr. Speaker, I believe that every Member of this House followed your lead in that way. Thank you very much, Mr. Speaker."

At the request of Representative Caldwell, the following is a list of all the Session staff of the House of Representatives:

Representative Awana: Clyde Hudson, Henry K.T. Makanani, Anthony J. Moon, Edmond E. Suka

Representative Belatti: Marc M. Garren, Lloyd K.Young III

Representative Berg: Elizabeth A. Labby, Ian Y. Lind, Any Popovich, Monique M. Wheeler

Representative Bertram: Margaret L. Logotaeao, Leon R. Rouse, Serena S. Tafao

Representative Brower: Richard P. Halverson, Justin H. Woodson

Representative Cabanilla: Daniel P. De Gracia II, Su Kim, Philmund W. Lee, Christopher C. Manabat

Representative Caldwell: Amanda E. Pearson, Elena K. Yamane

Representative Carroll: Casey C. Carothers, Cassandra A. Kamai, Debra L. Salboro

Representative Chang: Barbara D. Anderson, Bernardine F.L. Jay, Francine S. Kaneshige

Representative Ching: Colette R. Devou, Ashley G. Ehrenreich, Beverlyn M.U. Ho, Jocelyn M.Y. Ho, Raymond Lee

Representative Chong: Lody A. Allen, Lindsey M. Nakashima, Janine A. Tully

Representative Evans: Jon T. Alcos, William Y. Kikuchi, Micah E. Young

Representative Finnegan: Steven Antonio, Andrea K. Dang, Hallah E. Nilsen, Michelle Schneider

Representative Green: Aulani A. Malabey, Allen G. McCune, Alexandra M. Rumusod, Felea'i S. Tau

Representative Hanohano: Mary L. Baker, Kaliko Chun, Anuhea P. Clark

Representative Har: John L. Henderson, Daniel M.K. Pahia, Leland Samuel M. Ribac

Representative Herkes: Sharon K.L. Blanchard, Bali Fergusson, Noah H. Gibson, Paul T. Holtrop, Brian Y. Yamane

Representative Ito: Linda S. Inamine, Nora R. Kobashigawa, Cassandra L. Muragin, George J. Okuda

Representative Karamatsu: Brandon T. Lee, Jennifer N. Nakanishi

Representative Lee: Mark E. Ferguson, Joseph K. Manke, Lloyd I. Nakahara

Representative Luke: Janice R. Farrant, David J. Judd, Clarita K. Kamakura, Liam Levine

Representative Magaoay: Deirdra U.V. Alo, Judy L.H. Fomin, Jonathan W. Ramil

Representative Manahan: Gene A. Albano, Sharon Grace P. Sagayadoro, En H. Young

Representative Marumoto: Michael D. Foley, Stephanie Ishikawa, Gaye M. Miyasaki, Maureen K. Muraoka

Representative McKelvey: Alexis A. Fredrick, Mary A.B. Lawrence Gallagher, Michael Machado

Representative Meyer: Leslie S. Chow, James H. Henshaw

Representative Mizuno: Edgar L. Fernandez, Ashley Ann N. Malabey, Alice S. Nakama

Representative Morita: Suniti S. Bal, Michael L. Markrich, Jay S. Scharf

Representative Nakasone: Erik D. Chun, James S. Kumagai, Matthew M. Sanemitsu

Representative Nishimoto: Eric L. La'a, Ivy S. Takahashi, Brandon T. Takeshita, Candace A. Van Buren

Representative B. Oshiro: Kenneth G. Best, Melita L.T. Lani, Peter Toves

Representative M. Oshiro: Jordann M. Ares, Rozina Briskovic, Tiffany R. Bumanglag, Annabel L. Donald, Leslie R. Goo, Sallie M. Hamada, Ronya T. Honda, Haunani K. Kahiapo, Tracey L Kubota, Dawn M. Nakagawa, Jacob K. Nakasone, Alana K.M. Taniguchi, Robin L. Valentine-Kindred, Danny J. Vasconcellos, Jr., Blake S. Yoshiura

Representative Pine: Anne H. Atkinson, Mariano Doctolero, Lilia F. Lambinicio, Lisa A.L. Shorba

Representative Rhoads: John A. K. Serikawa, Patrick A. Stanley

Representative Sagum: Amy T. Maeda, Joyce H. Ohta, Florence H. Wakuya

Representative Saiki: Cecilia A. Fong, Liane Y. Ikemoto, Jared Y. Tomei

Representative Shimabukuro: Michael A. Dahilig, Michael T. Gill, Wallace J. Inglis, Gerald M. Kita, Dana P. Newman, Jessie A. Torres

Representative Sonson: Felicitas G. Batungbacal, Patrick T.K.P. Branco, Shohei Nishimoto

Representative Souki: Peggy J. Collier, Moses A. Lum Hoy, Vernon M. Souki

Representative Takai: Marnelli Joy Basilio, Cheryl A. Derby, Ku'ualoha-Kyra A.K.K. Kanekoa, Sandra Kim, Chrysalis D. Reyna

Representative Takamine: Deborah R. Adams, Travis A.B. Nakayama

Representative Takumi: Aisha K. Arion, Herbert N. Fujikawa, Margot E. Seeto, Michelle M. Taira

Representative Thielen: Sonja H. Caymaz, Carol A. Philips

Representative Tokioka: Raymond Adams, Sharon L. Agnew, Chanel L. Williams

Representative Tsuji: Walter B Igawa-Silva, Ken T Nakamoto, Sanford L. Sasaki

Representative Wakai: Kenneth Chan, Mark T. Ida, Kendra K. Inoue, Ryan T. Oishi, Joan S. Ushijima

Representative Ward: Christopher A. Baron, Pamela A. Kam, Jeremy D. Low, Caila J. Murphy, Sandra L. Roth

Representative Waters: Jason W. Bradshaw, June J.S. Gries, Gavin P. McCall, James M. Miura, James J. Nelson, John C. Vandercook, Jason M.A. Walter

Representative Yamane: Danielle M.M. Bass, Michelle A. Lovata, Camille S. Paldi, Cathy T. Yasuda

Representative Yamashita: Tannya K. Kanei, Lisa N.S. Konkola, Ian K. Ross

Majority Research: Eric J. Bernal, Jonnilyn K. Brown, Sharilyn D. Ho, Edward Y. Toyozaki, William Y. Toyozaki

Minority Research: Stephanie A. Beran, Anthony J. Davis, John K. Gibo, Robert C. Hogue, Stephanie A. Luke, Jame K. Schaedel, Paul L. Vierling

Clerk's Office: Arlene C. Abiang, Richard N.Y. Ah Lee Sam III, Alton S. Antonio, Luke B. Aritaga, Angel U. Fujihara, Francine K. Hirata, Ryan K. Kagimoto, Teoni W. Obrey, Bernadette A. Panoncial, Jenni M. Panoncial, Summer T. Shido, Haylee L. Sinton-Hewitt, Kelli K. Sterling, Jill M. Takamatsu, Kent D. Takamoto, Chelsea K. Tanimura, Eric K Toyama, Tat Ming Woo, Scott K. Yamane, Diane A. Yukumoto

Printshop: Mitchell H. Akamine, Carold Cabebe, Kay K. DeMello, Kenneth M. Gibo, Bradley K. Haida, Roy H. Higa, Rosalind A. Ho, Kathryn L. Hong , Lorrin K. Kaalekahi, Jr., Summer K. Kaleo, Jean Kinoshita, Yoshi A. Kiyabu, Douglas K. Kuahulu, Elaine R. Miyamoto, Michel R. Osurman, Har Ping Pang, Mildred Y. Phillips, Estelita Pumares, Eleanor M. Riney, Alice A. Sato, Amy Y.M. Say, Linda T. Shishido, Shirley May Sing, Curtis F. Yoshida, Wesley T. Yoshitake

Sergeant-At-Arms: Douglas Y. Arakaki, Kalani V. Asuncion, Francis J. Baysa, Eleneke J. Benevides, Yolanda M. Bryant, Matthew D. Daog, Warren M. Higashi, Kate S. Hirayasu, Kenneth K. Lee, Stanley S. Leong, Matthew I.N. Oamilda, Kevin I. Omori, Paul W. Reid, Jon M. Shitabata, Alfonso B. Singson, Jeffrey K. Spencer, Colleen B.J. Takenouchi, Richard H. Tamashiro, Wendy S. Tamashiro, Raymond H. Yamane

Custodians: Dorothy S. Alvarado, Dolores E. Baysa

At this time, the Chair addressed the Members, stating:

"Let me begin by saying, thank you. It has been trying times. The passage of my mother in February. The passage of my father in April. But they have given me the strength to carry out the duties of this position. We have all come to the end of the 2007 Legislative Session and I truly believe that we can look back and be proud of the work we have accomplished for the people of the State of Hawaii.

"We had a solid Session. We have passed a balanced budget that invests in public health, Josh, John, Maile, Karl, the Health Committee Chair and Vice Chair and their Committee members, and the Human Services and Housing Committee Chair and Vice Chair. And it is for the greater good of the people of the State of Hawaii.

"People have said that this House is also fiscally conservative. I share with you in the last nights of Conference and negotiations, a House provision in trying to revise the Council on Revenues projections gave way to a 5.5 percent projection. The House of Representatives was looking at a 4 percent and 6 percent projection in anticipation of a downturn in fiscal year '07. I am hopeful. I am optimistic that the projections will achieve this goal of 6 percent. But if not, for every percentage point that we lose on the Council's projection, it equates to about $47 million. And we have been responsible in recognizing that future economic performance and tax revenues will not reach the levels previously projected.

"Today, for the juniors and sophomores of this House, you were very privileged to have three to four years of double digit growth, whereby, the Legislature, along with the Administration, came up in last year of '06, with a $743 million surplus. I'm proud of the way this body has invested that particular surplus. I am not going to dwell on the ten great issues and programs that we have adopted, but I want more to share with all of you that this is your institution that you represent; to keep it open and honest and also transparent so that the general public can have a better understanding of the legislative process.

"The perception out there is this: This is a square building where it's almost like an animal house where things get chaotic. But I'm very, very proud of the performance of all 50 Members of this Chamber. Your contributions, your insights, your debate, and discussions in Committee and on the Floor of the House have contributed to a greater understanding of what this institution is all about.

"I must say this to Chair Waters and Vice Chair Blake Oshiro and your Committee on Judiciary, you all have shown political courage by holding hearings on controversial measures, such as death with dignity, civil unions, and tort reform. Although the measures did not pass this House, we gave the proponents and the opponents the opportunity to present their views in an open, public forum as it should be, as done in a democracy. We may not always agree to the process of setting priorities in making decisions, but despite our differences, we have worked well together.

"I am proud that we've been civil with each other in our debates, in our Committees, and on the Floor. And we have chosen to take care of the people's business in a responsible and high-minded manner. For that, I thank you all, Members of the both the Majority and the Minority parties.

"For the freshmen, this afternoon, even though today is the last day of the Session, we all have much more work to do in the interim. The planning for next year starts tomorrow. Like I shared with President Hanabusa when she came over to say that they had adjourned Sine Die, we will be meeting next week to start planning the appointments of the joint House and Senate Investigative Committee.

"In the upcoming weeks, I share this with all of you. I'll be 'talking story' with you to determine who will be on the taskforce to address ethics and standards of conduct in State government. And for all of you, I wish you the very best as far as being active in your respective program areas as you go through the interim.

"Personally, I know that all of you will be working hard and I have no doubt about it. And I know in 2008 we will be addressing more of the critical issues, those of our constituency, and those of our future generations which will have to be addressed.

"In closing, I'm very proud to be a part of this class. Your dedication to serving your community is the heart and soul of the House of Representatives. Thank you again, for a great Session. Aloha.

"May I share this. Your applause should be for all of you. And I would like to say this: At least my mom and dad are watching me from Heaven. Thank you."

Representative Luke: "Thank you, Mr. Speaker. Don't look so frightened. I'm not going to make a speech, Rep. Caldwell. Actually, I just wanted to announce the birth of a grandchild for one of our colleagues, and the grandchild's name is Karley Kapuamaikalani Takumi Arion and she is the fifth grandchild of our Representative Roy Takumi, and the second granddaughter. I guess he was always vertically challenged and he wanted his own basketball team. Now he can have one. Born on Sunday, April 29,

she weighed six pounds and seven ounces, so, if we could just applaud our grandfather for the fifth time."

Representative Sonson: "Thank you very much, Mr. Speaker. I would like to thank Glenn Booth and his staff with Capitol TV for their excellent work this Session covering both the Committee hearings and sessions. They do a great service to our community and is a way for our families, our constituencies to actually participate in the process. When I went home on Tuesday night, my daughter told me that she agreed with me and my point regarding Pufi, her little pet. So it's working. Everyone's watching us on Capitol TV. So thank you very much for your great service."

Representative Caldwell: "Mr. Speaker, may I make one last request before we move to adjourn Sine Die. Upon Sine Die, on behalf of both the Majority Caucus and Minority Caucus, I would like, if you would agree, to allow the Representative from Puna and the Representative from Nanakuli along with the rest of the Hawaiian Caucus to lead us in *Hawaii Aloha*."

Speaker Say: "Yes, I would recommend that we invite just the freshman class to lead us in *Hawaii Aloha*. Representative Belatti, Representative Mizuno, Representative Sagum, Representative McKelvey, Representative Manahan, Representative Tokioka, Representative Hanohano, Representative Awana, Representative Rhoads, Representative Brower."

Representative Caldwell: "Mr. Speaker, before we actually sing *Hawaii Aloha*, which should be beautiful, I think we should move to adjourn Sine Die and then we can sing."

Speaker Say: "They can stand up here with me. I have the authority, so come on up, freshmen. Representative Caldwell, would you like to make the proper motion before we start *Hawaii Aloha*?"

ADJOURNMENT

Representative Caldwell moved that the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, adjourn Sine Die, seconded by Representative Thielen.

The motion was put to vote by the Chair and carried, and at 3:55 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, adjourned Sine Die. (Representatives Bertram, Cabanilla, Evans, Finnegan, Green and Nakasone were excused.)

HOUSE COMMUNICATIONS

House Communication dated May 3, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the following bills have this day passed Final Reading in the House of Representatives:

H.B. No. 19, HD 2, SD 2, CD 1
H.B. No. 24, HD 1, SD 2, CD 1
H.B. No. 55, HD 1, SD 2, CD 1
H.B. No. 90, HD 2, SD 2, CD 1
H.B. No. 104, HD 2, SD 2, CD 1
H.B. No. 212, HD 2, SD 2, CD 1
H.B. No. 226, HD 2, SD 2, CD 1
H.B. No. 310, HD 2, SD 2, CD 1 [*sic*]
H.B. No. 310, HD 2, SD 2, CD 2
H.B. No. 317, HD 2, SD 2, CD 1
H.B. No. 367, HD 1, SD 3, CD 1
H.B. No. 399, HD 1, SD 2, CD 1
H.B. No. 400, HD 1, SD 2, CD 1
H.B. No. 531, HD 3, SD 2, CD 1
H.B. No. 575, HD 1, SD 2, CD 1
H.B. No. 751, HD 1, SD 2, CD 1
H.B. No. 767, HD 2, SD 2, CD 1
H.B. No. 777, HD 2, SD 2, CD 1
H.B. No. 807, HD 1, SD 2, CD 1
H.B. No. 831, HD 2, SD 1, CD 1
H.B. No. 833, HD 2, SD 2, CD 1
H.B. No. 843, HD 2, SD 2, CD 1
H.B. No. 855, HD 1, SD 1, CD 1
H.B. No. 899, HD 1, SD 1, CD 1
H.B. No. 964, HD 1, SD 2, CD 2
H.B. No. 1003, HD 3, SD 2, CD 1
H.B. No. 1004, HD 2, SD 1, CD 2
H.B. No. 1008, HD 2, SD 2, CD 1
H.B. No. 1014, HD 2, SD 1, CD 1
H.B. No. 1083, HD 2, SD 2, CD 1
H.B. No. 1171, HD 1, SD 1, CD 1
H.B. No. 1211, HD 2, SD 2, CD 1
H.B. No. 1220, HD 1, SD 2, CD 1
H.B. No. 1221, HD 2, SD 2, CD 1
H.B. No. 1270, HD 2, SD 2, CD 2
H.B. No. 1345, HD 2, SD 3, CD 1
H.B. No. 1352, HD 1, SD 2, CD 1
H.B. No. 1368, SD 1, CD 1
H.B. No. 1435, HD 1, SD 2, CD 1
H.B. No. 1477, HD 2, SD 2, CD 1
H.B. No. 1529, HD 2, SD 2, CD 1
H.B. No. 1567, SD 1, CD 1
H.B. No. 1568, SD 1, CD 1
H.B. No. 1569, SD 1, CD 1
H.B. No. 1572, SD 1, CD 1
H.B. No. 1631, HD 2, SD 2, CD 1
H.B. No. 1659, HD 2, SD 1, CD 1
H.B. No. 1670, HD 2, SD 2, CD 1
H.B. No. 1719, HD 1, SD 1, CD 1
H.B. No. 1757, HD 1, SD 3, CD 2
H.B. No. 1764, HD 1, SD 1, CD 1
H.B. No. 1866, HD 3, SD 2, CD 1
S.B. No. 148, SD 2, HD 1, CD 2
S.B. No. 600, HD 2, CD 1
S.B. No. 603, SD 2, HD 2, CD 1
S.B. No. 613, SD 2, HD 2, CD 1
S.B. No. 686, SD 1, HD 1, CD 1
S.B. No. 688, SD 2, HD 1, CD 1
S.B. No. 709, SD 2, HD 1, CD 1
S.B. No. 810, SD 2, HD 1, CD 1
S.B. No. 885, SD 2, HD 3, CD 1
S.B. No. 907, SD 2, HD 2, CD 1
S.B. No. 914, SD 2, HD 1, CD 1
S.B. No. 932, SD 2, HD 2, CD 1
S.B. No. 1115, SD 2, HD 1, CD 1
S.B. No. 1133, SD 3, HD 1, CD 1
S.B. No. 1170, SD 1, HD 1, CD 1
S.B. No. 1174, SD 1, HD 1, CD 1
S.B. No. 1365, SD 2, HD 3, CD 1
S.B. No. 1614, SD 1, HD 1, CD 1
S.B. No. 1718, HD 2, CD 1
S.B. No. 1792, SD 3, HD 3, CD 2
S.B. No. 1803, SD 1, HD 1, CD 2
S.B. No. 1820, SD 1, HD 2, CD 1
S.B. No. 1917, SD 3, HD 2, CD 1
S.B. No. 1922, SD 2, HD 1, CD 1
S.B. No. 1931, SD 2, HD 3, CD 2

House Communication dated May 3, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day, agreed to the amendments and passed the following House Bills on Final Reading:

HB No. 211, HD 1, SD 1
HB No. 249, HD 1, SD 2
HB No. 260, SD 2
HB No. 277, HD 1, SD 2
HB No. 497, HD 2, SD 2
HB No. 507, HD 2, SD 1
HB No. 870, HD 1, SD 1
HB No. 1155, HD 1, SD 1
HB No. 1253, HD 1, SD 1
HB No. 1256, HD 1, SD 1
HB No. 1291, HD 1, SD 2
HB No. 1334, HD 1, SD 1
HB No. 1338, HD 2, SD 1
HB No. 1399, SD 1
HB No. 1493, HD 2, SD 1
HB No. 1570, SD 1
HB No. 1721, HD 1, SD 2
HB No. 1902, SD 1
HB No. 1931, SD 1

House Communications dated May 3, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy a document certifying that on May 3, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered H.B. No. 10, SD 1, heretofore vetoed as set forth in a Governor's Message dated April 27, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of H.B. No. 10, SD 1, designated as Act 60 was also enclosed.

House Communications dated May 3, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy a document certifying that on May 3, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered H.B. No. 861, HD 1, SD 1, heretofore vetoed as set forth in a Governor's Message dated May 1, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of H.B. No. 861, HD 1, SD 1, designated as Act 61 was also enclosed.

House Communications dated May 3, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy a document certifying that on May 3, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered H.B. No. 863, HD 1, heretofore vetoed as set forth in a Governor's Message dated April 24, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of H.B. No. 863, HD 1, designated as Act 62 was also enclosed.

House Communications dated May 3, 2007, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy a document certifying that on May 3, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered H.B. No. 1672, heretofore vetoed as set forth in a Governor's Message dated April 16, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of H.B. No. 1672, designated as Act 63 was also enclosed.

OTHER COMMUNICATIONS

Senate Communication dated May 4, 2007, from Carol Taniguchi, Clerk of the Senate, to the Honorable Governor Linda Lingle; transmitting a copy a document certifying that on May 1, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered S.B. No. 14, SD 1, HD 1, heretofore vetoed as set forth in a Governor's Message dated April 18, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of S.B. No. 14, SD 1, HD 1, designated as Act 56 was also enclosed.

Senate Communication dated May 4, 2007, from Carol Taniguchi, Clerk of the Senate, to the Honorable Governor Linda Lingle; transmitting a copy a document certifying that on May 1, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered S.B. No. 1063, SD 1, HD 1, heretofore vetoed as set forth in a Governor's Message dated April 25, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of S.B. No. 1063, SD 1, HD 1, designated as Act 57 was also enclosed.

Senate Communication dated May 4, 2007, from Carol Taniguchi, Clerk of the Senate, to the Honorable Governor Linda Lingle; transmitting a copy a document certifying that on May 1, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered S.B. No. 1642, SD 1, HD 1, heretofore vetoed as set forth in a Governor's Message dated April 24, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of S.B. No. 1642, SD 1, HD 1, designated as Act 58 was also enclosed.

Senate Communication dated May 4, 2007, from Carol Taniguchi, Clerk of the Senate, to the Honorable Governor Linda Lingle; transmitting a copy a document certifying that on May 1, 2007, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii House of Representatives, reconsidered S.B. No. 1816, SD 1, HD 1, heretofore vetoed as set forth in a Governor's Message dated April 26, 2007, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of S.B. No. 1816, SD 1, HD 1, designated as Act 59 was also enclosed.

SENATE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT OF THE 2007 LEGISLATURE SINE DIE

Sen. Com. No. 893, transmitting H.C.R No. 54, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AN INTERIM TASK FORCE TO REVIEW THE STATE MAXIMUM ALLOWABLE COST PROGRAM'S REIMBURSEMENT POLICY AND ITS IMPACT ON SMALL, INDEPENDENT, COMMUNITY PHARMACIES," which was adopted by the Senate on May 3, 2007.

Sen. Com. No. 894, transmitting H.C.R No. 140, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA AND REPORT STATISTICS RELATED TO CASES OF ABUSE OF VULNERABLE ADULTS," which was adopted by the Senate on May 3, 2007.

Sen. Com. No. 895, transmitting H.C.R No. 344, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT PROJECT CUDDLE AND ASSESS THE FEASIBILITY OF ADVERTISING ITS HOTLINE," which was adopted by the Senate on May 3, 2007.

Sen. Com. No. 896, transmitting H.C.R No. 141, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE LOWER DRUG PRICES ON BEHALF OF MEDICARE BENEFICIARIES," which was adopted by the Senate on May 3, 2007.

Sen. Com. No. 897, transmitting H.C.R No. 217, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCREASE, FOR SOCIAL SECURITY BENEFICIARIES, THE LEVELS OF PROVISIONAL INCOME, WHICH INCLUDE SOCIAL SECURITY BENEFITS, BY AN AMOUNT EQUAL TO THE FEDERAL COST OF LIVING ALLOWANCE GRANTED TO FEDERAL EMPLOYEES IN HAWAII," which was adopted by the Senate on May 3, 2007.

Sen. Com. No. 898, transmitting H.C.R No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT TO THE LEGISLATURE ON CERTAIN AQUATIC SURF RESOURCES IN THE STATE INCLUDING THE COST OF FUNDING A STUDY ON THE FEASIBILITY OF CONSTRUCTING ARTIFICIAL REEFS," which was adopted by the Senate on May 3, 2007.

GOVERNOR'S MESSAGES and COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT OF THE 2007 LEGISLATURE SINE DIE

Governor's Messages

Gov. Msg. Nos. 385 through 629: See Special Session 2007.

Departmental Communications

Dept. Com. Nos. 60 through 63: See Special Session 2007.

Miscellaneous Communications

Misc. Com. Nos. 6 through 9: See Special Session 2007.